NAVAL WAR COLLEGE

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PREFACE

The annual publication of the Naval War College on international law for 1942 has been prepared, as formerly, since 1938, in collaboration with Payson Sibley Wild, Jr., Ph. D., professor of international law, Harvard University, and associate for international law, Naval War College.

Discussions by the Naval War College classes have given special attention to international law in its relation to the conduct of the war now in progress. Important and relevant documents concerning belligerents and neutrals also have been under consideration. Documents cited in this volume are among those discussed.

While certain of these documents are easily accessible, others have not yet appeared in any collection and are not readily available to naval officers.

W. S. PYE,
Rear Admiral, United States Navy,
President, Naval War College.

OCTOBER 12, 1943.

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I. Orders to American Military Forces in India

(Dept. of State Bulletin, August 15, 1942, Vol. VII, No. 164)

The following statement of this Government's policy has been made a part of the orders to the American military forces in India:

"1. The sole purpose of the American forces in India is to prosecute the war of the United Nations against the Axis powers. In the prosecution of the war in that area the primary aim of the Government of the United States is to aid China.

"2. American forces are not to indulge to the slightest degree in activities of any other nature unless India should be attacked by the Axis powers, in which event American troops would aid in defending India.

"3. American forces in India will exercise scrupulous care to avoid the slightest participation in India's internal political problems, or even the appearance of so doing.

"4. In event of internal disturbances American forces will resort to defensive measures only should their own personal safety or that of other American citizens be endangered or for the necessary protection of American military supplies and equipment."

II. Crimes Against Civilian Populations in Occupied Countries

(Dept. of State Bulletin, August 22, 1942, Vol. VII, No. 165)

Statement by the President

The Secretary of State recently forwarded to me a communication signed by the Ambassador of the Netherlands and the Ministers of Yugoslavia and Luxembourg on behalf of the Governments of Belgium, Greece, Luxembourg, Norway, Netherlands, Poland, Czechoslovakia, Yugoslavia, and the French National Committee in London, calling attention to the barbaric crimes against civilian populations which are being committed in occupied countries, particularly on the continent of Europe.

In this communication, attention was invited to the declaration signed in London on January 13, 1942 by the representatives of nine governments whose countries are under German occupation. This declaration affirmed that acts of violence thus perpetrated against the civilian populations are at variance with accepted ideas concerning acts of war and political offenses as these are understood by civilized nations; stated that the punishment, through the channel of organized justice of those guilty and responsible for these crimes, is one of the principal war aims of the contracting governments; and recorded the determination of the contracting governments in a spirit of international solidarity to see to it that those guilty and responsible, whatever their nationality, are handed

over to justice and tried and that the sentences pronounced are carried out.

The communication which I have just received from the chiefs of mission of the Netherlands, Yugoslavia, and Luxembourg states that these acts of oppression and terror have taken proportions and forms giving rise to the fear that as the defeat of the enemy countries approaches, the barbaric and unrelenting character of the occupational regime will become more marked and may even lead to the extermination of certain populations.

As I stated on October 25, 1941:

"The practice of executing scores of innocent hostages in reprisal for isolated attacks on Germans in countries temporarily under the Nazi heel revolts a world already inured to suffering and brutality. Civilized peoples long ago adopted the basic principle that no man should be punished for the deed of another. Unable to apprehend the persons involved in these attacks the Nazis characteristically slaughter fifty or a hundred innocent persons. Those who would 'collaborate' with Hitler or try to appease him cannot ignore this ghastly warning.

"The Nazis might have learned from the last war the impossibility of breaking men's spirit by terrorism. Instead they develop their 'lebensraum' and 'new order' by depths of frightfulness which even they have never approached before. These are the acts of desperate men who know in their hearts that they cannot win. Frightfulness can never bring peace to Europe. It only sows the seeds of hatred which will one day bring fearful retribution."

The Government of the United States has been aware for some time of these crimes. Our Government is constantly receiving additional information from dependable sources, and it welcomes reports from any trustworthy source which would assist in keeping our growing fund of information and evidence up to date and reliable.

The United Nations are going to win this war. When victory has been achieved, it is the purpose of the Government of the United States, as I know it is the purpose of each of the United Nations, to make appropriate use of the information and evidence in respect to these barbaric crimes of the invaders, in Europe and in Asia. It seems only fair that they should have this warning that the time will come when they shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts.

III. Agreements for Reciprocal Lend-Lease Aid to the United States and Its Armed Forces

(Dept. of State Bulletin, September 5, 1942, Vol. VII, No. 167)

Agreements specifying the principles and procedures applicable to the provision of aid to the United States and its armed forces by the Governments of the United Kingdom, Australia, and New Zealand were concluded on September 3 by exchanges of notes between the Secretary of State and the British Ambassador, Lord Halifax; the Australian Minister, Sir Owen Dixon; and the New Zealand Minister, Mr. Walter Nash. A similar agreement concerning the provision of aid by Fighting France was concluded in London on September 3 by an exchange of notes between Brig. Gen. John E. Dahlquist, Acting Military Representative of the United States of America, and M. Maurice de Jean, representing the French National Committee. The texts of these documents are printed below.

These agreements formalize the principles and procedures applicable to the provision of aid to the armed forces of the United States by the other parties on the same terms as those under which the United States supplies aid to them in accordance with the provisions of the Lend-Lease Act. Each of them, without awaiting conclusion of a formal agreement, has been providing such aid on these terms as occasion requires since the

passage of the Lend-Lease Act. This aid is rapidly increasing in importance as the intensity of the American war effort increases in the various theaters of operations concerned.

Each of these agreements specifies that the general principle governing the provision of mutual aid is that the war production and war resources of each contracting party should be used in ways which most effectively utilize the available materials, manpower, production facilities, and shipping space. The agreements further specify that a maximum of the articles and services provided by each party to the other shall be in the form of reciprocal aid so that the need of each for the currency of the other may be reduced to a minimum. Each of the other parties agrees to provide the armed forces of the United States with military equipment, munitions, military and naval stores, other supplies, materials, facilities, and services when they can most effectively be procured in their respective countries.

The agreements with the Governments of Australia and New Zealand also make applicable to their relations with this Government the principles of the agreement between the Governments of the United States and the United Kingdom on the principles applying to mutual aid, signed in Washington on February 23, 1942.

Note From the British Ambassador to the Secretary of State

SIR:

In the United Nations declaration of January 1, 1942, the contracting governments pledged themselves to employ their full resources, military or

economic, against those nations with which they are at war and in the Agreement of February 23, 1942, each contracting government undertook to provide the other with such articles, services, facilities or information useful in the prosecution of their common war undertaking as each may be in a position to supply. It is further the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that the general principle to be followed in providing mutual aid as set forth in the said Agreement of February 23, 1942, is that the war production and the war resources of both Nations should be used by the armed forces of each and of the other United Nations in ways which most effectively utilize the available materials, manpower, production facilities and shipping space.

With a view, therefore, to supplementing Article 2 and Article 6 of the Agreement of February 23, 1942, between our two Governments for the provision of reciprocal aid, I have the honour to set forth below the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland of the principles and procedures applicable to the provision of aid by the Government of the United Kingdom of Great Britain and Northern Ireland to the armed forces of the United States and the manner in which such aid will be correlated with the maintenance of those forces by the United States Government.

1. While each Government retains the right of final decision, in the light of its own potentialities and responsibilities, decisions as to the most effective use of resources shall, so far as possible,

be made in common, pursuant to common plans for winning the war.

2. As to financing the provision of such aid, within the fields mentioned below, it is the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that the general principle to be applied, to the point at which the common war effort is most effective, is that as large a portion as possible of the articles and services which each Government may authorize to be provided to the other shall be in the form of reciprocal aid so that the need of each Government for the currency of the other may be reduced to a minimum.

It is accordingly the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that the United States Government will provide, in accordance with the provisions of, and to the extent authorized under, the Act of March 11, 1941, the share of its war production made available to the United Kingdom. The Government of the United Kingdom will provide on the same terms, and as reciprocal aid so much of its war production made available to the United States as it authorizes in accordance with the Agreement of February 23, 1942.

3. The Government of the United Kingdom will provide the United States or its armed forces with the following types of assistance as such reciprocal aid, when it is found that they can most effectively be procured in the United Kingdom or in the British Colonial Empire:

(a) Military equipment, munitions and military and naval stores.

(b) Other supplies, materials, facilities and services for the United States forces, except for the pay and allowances of such forces, administrative expenses, and such local purchases as its official establishments may make other than through the official establishments of the Government of the United Kingdom as specified in paragraph 4.

(c) Supplies, materials and services needed in the construction of military projects, tasks and similar capital works required for the common war effort in the United Kingdom or in the British Colonial Empire, except for the wages and salaries of United States citizens.

(d) Supplies, materials and services needed in the construction of such military projects, tasks and capital works in territory other than the United Kingdom or the British Colonial Empire or territory of the United States to the extent that the United Kingdom or the British Colonial Empire is a more practicable source of supply than the United States or another of the United Nations.

4. The practical application of the principles formulated in this note, including the procedure by which requests for aid by either Government are made and acted upon, shall be worked out as occasion may require by agreement between the two Governments, acting when possible through their appropriate military or civilian administrative authorities. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States to official agencies of the United Kingdom which will be designated or established in Lon-

don and in the areas where United States forces are located for the purpose of facilitating the provision of reciprocal aid.

5. It is the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that all such aid, as well as other aid, including information, received under Article 6 of the Agreement of February 23, 1942, accepted by the President of the United States or his authorized representatives from the Government of the United Kingdom will be received as a benefit to the United States under the Act of March 11, 1941. In so far as circumstances will permit, appropriate record of aid received under this arrangement, except for miscellaneous facilities and services, will be kept by each Government.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter.

I have [etc.] HALIFAX

Note From the Secretary of State to the British Ambassador

EXCELLENCY:

I have the honor to acknowledge the receipt of your note of today's date concerning the principles and procedures applicable to the provision of aid by the Government of the United Kingdom of Great Britain and Northern Ireland to the Armed forces of the United States of America.

In reply I wish to inform you that the Government of the United States agrees with the under-

standing of the Government of the United Kingdom of Great Britain and Northern Ireland as expressed in that note. In accordance with the suggestion contained therein, your note and this reply will be regarded as placing on record the understanding between our two Governments in this matter.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept [etc.] CORDELL HULL

IV. Relief for American Prisoners of War Held by Japan

(Dept. of State Bulletin, September 5, 1942, Vol. VII, No. 167)

The following message concerning relief for prisoners of war held by Japan has been transmitted by the Acting Secretary of State to the Japanese Government through the Swiss authorities:

"1. The Japanese Government has agreed to apply the provisions of the Geneva Prisoners of War Convention of 1929 to American prisoners of war and civilian internees. Article 37 of that Convention provides for the receipt by prisoners of supplies of food and clothing supplemental to those which it is the duty of the detaining power to furnish, in as much as it states that prisoners shall be allowed to receive parcels intended to supply them with food or clothing. It further states that such parcels shall be delivered to the prisoners.

"2. The American Red Cross assumed that the Japanese Government would grant safe conduct for a Red Cross ship to transport supplemental supplies of food and clothing destined to American and other prisoners of war and civilian internees in Japanese custody as German and Italian Governments have done and are continuing to do for supplies being sent for prisoners and internees in their custody. Accordingly, the American Red Cross chartered the neutral Swedish motorship *Kanangoora* to carry such supplies and the ship is now ready to sail from San Francisco with the supplies. It is to be operated by the International Red Cross Committee, a representative of which, who will be a citizen of a neutral country, will be the only person on board besides the Swedish citizens composing the crew.

"3. The American Red Cross has requested, through the channels of the International Red Cross Committee, the

consent of the Japanese Government for the voyage of the ship to Manila via Kobe, Shanghai, and Hong Kong, with the supplies. The United States Government also has officially asked for that consent through the channels of the Swiss Government representing the interests of the United States in Japan. Through both channels the Japanese Government has now replied refusing such consent. It states that it does not object, however, to such shipments on vessels exchanging Japanese and United States nationals at Lourenço Marques.

"4. The motorship *Gripsholm* used by the United States Government in the exchange of Japanese and Americans at Lourenço Marques does not have sufficient cargo carrying capacity to transport the amount of supplies which it is desired to send to prisoners and internees in the Far East. Moreover, the exchange ship does not provide a means of continued transportation of such supplies. Additional shipping must therefore be employed if the prisoners and internees are to receive supplementary supplies as provided for by the Convention.

"5. If the Japanese Government will not permit the *Kanangoora* to proceed on its proposed voyage to the Far East with the supplies in question, then the United States Government proposes that the Japanese Government agree that the *Kanangoora* or other Red Cross ship shall proceed from the United States with the supplies to Macau or to Lourenço Marques, to which port the Japanese Government will similarly send a Red Cross ship to receive the supplies and transport them for delivery to the prisoners and internees. The United States Government desires to point out in this connection that it is incumbent upon the Japanese Government to facilitate by whatever means may be available, the delivery of parcels intended for prisoners in fulfillment of the obligation of the detaining power to allow prisoners to receive parcels and to deliver the parcels to them as provided by Article 37 of the Geneva Prisoners of War Convention. The United States Government, while looking to the Japanese Government to fulfill its obligations under the Convention in this matter, is fully conscious of its own obligations thereunder."

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V. Reply to French Protest Against Bombings in France

(Dept. of State Bulletin, September 12, 1942, Vol. VII, No. 168)

The American Chargé in Vichy, Mr. S. Pinkney Tuck, on September 7 was called in by Monsieur Laval who said that in recent bombings of Le Havre and Rouen by combined military forces of the United Nations a number of people were killed and others wounded and that he, M. Laval, desired to enter a protest to the American Government since it was reported some American flyers participated. Mr. Tuck's immediate reply was that these air forces were bombing military plants in the employ of Germany and that, of course, the Americans do not desire to see the French people suffer any more than can be avoided since they have already suffered to an incalculable extent under German occupation but that M. Laval must be assured that the military plants operated by or for Germany and other German military properties in France will be bombed at every opportunity in the future.

VI. Negotiations for Relief to American Prisoners of War Held By Japan

(Dept. of State Bulletin, September 19, 1942, Vol. VII, No. 169

Immediately following the Japanese occupation of the Philippine Islands, efforts were made by the American Red Cross to locate a neutral ship of sufficient cargo capacity and cruising radius for the carriage of prisoner-of-war supplies to the Far East, including the Philippine Islands.

In the spring a suitable vessel was located, the Swedish ship *Vasaland,* then at Gothenburg. Efforts made by the American Red Cross through the International Red Cross to secure the assent of the German authorities to the departure of this ship from the Baltic proved fruitless, following which the *Kanangoora,* a Swedish vessel now on the Pacific coast, was chartered with the expectation that it could be used for this purpose.

Supplementing the repeated efforts of the American Red Cross, made through the intermediary of the International Red Cross, to obtain from the Japanese Government a guaranty of safe conduct for this ship to carry relief supplies for American prisoners of war and civilian internees in Japanese custody, messages dated July 30, August 29, and September 18, 1942, respectively, were sent by the Secretary of State to the Japanese Government through the Swiss Government representing American interests in Japan. The message dated August 29 was printed in the

Bulletin of September 5, 1942, page 741. The texts of the other messages read as follows:

"JULY 30, 1942.

"Please request that Swiss Minister Tokyo be instructed to press for consent of Japanese Government to voyage from San Francisco to Manila via Kobe, Shanghai and Hong Kong of Swedish motorship *Kanangoora* which is being chartered by American Red Cross and operated by the International Red Cross to carry supplies for prisoners of war and civilian internees in the Far East. Please expedite report."

"SEPTEMBER 18, 1942.

"The Government of the United States has noted the Japanese Government's statement that it has never refused and will not refuse in the future to accept and to deliver parcels containing foodstuffs and clothing as provided for under Article 37 of the Geneva Prisoners of War Convention and is gratified to have official confirmation that supplies sent by the American Red Cross on the exchange ships will be distributed to American prisoners of war and civilian internees in Japan, in the Philippines, and in other areas under Japanese occupation.

"The Government of the United States also has noted the statement of the Japanese Government that it must maintain for the moment its refusal to allow, for strategic reasons, any vessel to cross the western Pacific and that the Japanese Government has no intention of sending to Lourenço Marques Japanese ships other than the exchange vessels.

"The Government of the United States desires, however, to point out that the supplies already sent to the Philippine Islands are insufficient in quantity adequately to satisfy the continuing needs of American prisoners of war and civilian internees detained by the Japanese authorities there. Furthermore, sufficient cargo space is not available on the exchange vessels to permit the shipment of sufficient supplementary supplies to serve the continuing needs of American nationals detained by the Japanese authorities in the Philippine Islands and in other areas under Japanese occupation.

"The Government of the United States, therefore, proposes again that the Japanese Government consent to the appoint-

ment of a neutral International Red Cross Committee delegate in the Philippine Islands to whom funds might be sent from the United States to be used in the purchase of local produce for distribution among American nationals in Japanese custody there. This Government confidently expects that as soon as the strategic reasons which the Japanese Government states are at present influencing it in refusing to permit neutral vessels to cross the western Pacific are no longer controlling, the Japanese Government will give safe conduct for the shipment of supplementary supplies from this country. Until that time, however, it is only by opening a means whereby funds may be provided to and used by a neutral Red Cross representative in the Philippine Islands that American nationals in Japanese custody in the Philippines may be furnished on a continuing basis the supplementary supplies which prisoners of war are entitled to receive under the Convention, which both Governments have agreed reciprocally to apply and to extend to civilian internees. In this connection, this Government desires to point out that the dietary habits of Americans are different from those of the Japanese people and that this Government is accordingly anxious to supplement the basic Japanese rations by supplies of a type more characteristic of the usual American diet.

"The attention of the Japanese Government is drawn to the fact that International Red Cross Committee delegates are permitted to function freely in the continental United States and the Territory of Hawaii in the distribution of relief among persons of Japanese nationality detained in the United States and Hawaii.

"The Government of the United States desires to know urgently whether or not the Japanese Government will henceforth grant full reciprocity in these respects."

VII. Treaty Between the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics

(Dept. of State Bulletin, September 26, 1942, Vol. VII, No. 170)

British Treaty Series No. 2 (1942), Cmd. 6376

"His Majesty The King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India, and the Presidium of the Supreme Council of the Union of Soviet Socialist Republics;

"Desiring to confirm the stipulations of the Agreement between His Majesty's Government in the United Kingdom and the Government of the Union of Soviet Socialist Republics for joint action in the war against Germany, signed at Moscow on the 12th July, 1941, and to replace them by a formal treaty;

"Desiring to contribute after the war to the maintenance of peace and to the prevention of further aggression by Germany or the States associated with her in acts of aggression in Europe;

"Desiring, moreover, to give expression to their intention to collaborate closely with one another as well as with the other United Nations at the peace settlement and during the ensuing period of reconstruction on the basis of the principles enunciated in the declaration made on the 14th August, 1941 by the President of the United States of America and the Prime Minister of Great Britain to which the Government of the Union of Soviet Socialist Republics has adhered;

"Desiring, finally, to provide for mutual assistance in the event of an attack upon either High Contracting Party by Germany or any of the States associated with her in acts of aggression in Europe.

"Have decided to conclude a treaty for that purpose and have appointed as their Plenipotentiaries:—

"His Majesty The King of Great Britain, Ireland, and the British Dominions beyond the Seas, Emperor of India,

"For the United Kingdom of Great Britain and Northern Ireland: The Right Honourable Anthony Eden, M. P., His Majesty's Principal Secretary of State for Foreign Affairs;

"The Presidium of the Supreme Council of the Union of Soviet Socialist Republics:

"M. Vyacheslav Mikhailovich Molotov, People's Commissar for Foreign Affairs,

"Who, having communicated their Full Powers, found in good and due form, have agreed as follows:—

"PART I

"Article I

"In virtue of the alliance established between the United Kingdom and the Union of Soviet Socialist Republics the High Contracting Parties mutually undertake to afford one another military and other assistance and support of all kinds in the war against Germany and all those States which are associated with her in acts of aggression in Europe.

"Article II

"The High Contracting Parties undertake not to enter into any negotiations with the Hitlerite Government or any other Government in Germany that does not clearly renounce all aggressive intentions, and not to negotiate or conclude except by mutual consent any armistice or peace treaty with Germany or any other State associated with her in acts of aggression in Europe.

"PART II

"Article III

"(1) The High Contracting Parties declare their desire to unite with other like-minded States in adopting proposals for common action to preserve peace and resist aggression in the post-war period.

"(2) Pending the adoption of such proposals, they will after the termination of hostilities take all the measures in

their power to render impossible a repetition of aggression and violation of the peace by Germany or any of the States associated with her in acts of aggression in Europe.

"Article IV

"Should one of the High Contracting Parties during the post-war period become involved in hostilities with Germany or any of the States mentioned in Article III (2) in consequence of an attack by that State against that Party, the other High Contracting Party will at once give to the Contracting Party so involved in hostilities all the military and other support and assistance in his power.

"This Article shall remain in force until the High Contracting Parties, by mutual agreement, shall recognise that it is superseded by the adoption of the proposals contemplated in Article III (1). In default of the adoption of such proposals, it shall remain in force for a period of twenty years, and thereafter until terminated by either High Contracting Party, as provided in Article VIII.

"Article V

"The High Contracting Parties, having regard to the interests of the security of each of them, agree to work together in close and friendly collaboration after the re-establishment of peace for the organisation of security and economic prosperity in Europe. They will take into account the interests of the United Nations in these objects, and they will act in accordance with the two principles of not seeking territorial aggrandisement for themselves and of non-interference in the internal affairs of other States.

"Article VI

"The High Contracting Parties agree to render one another all possible economic assistance after the war.

"Article VII

"Each High Contracting Party undertakes not to conclude any alliance and not to take part in any coalition directed against the other High Contracting Party.

"Article VIII

"The present Treaty is subject to ratification in the shortest possible time and the instruments of ratification shall be exchanged in Moscow as soon as possible.

"It comes into force immediately on the exchange of the instruments of ratification and shall thereupon replace the Agreement between the Government of the Union of Soviet Socialist Republics and His Majesty's Government in the United Kingdom, signed at Moscow on the 12th July, 1941.

"Part I of the present Treaty shall remain in force until the re-establishment of peace between the High Contracting Parties and Germany and the Powers associated with her in acts of aggression in Europe.

"Part II of the present Treaty shall remain in force for a period of twenty years. Thereafter, unless twelve months' notice has been given by either Party to terminate the Treaty at the end of the said period of twenty years, it shall continue in force until twelve months after either High Contracting Party shall have given notice to the other in writing of his intention to terminate it.

"In witness whereof the above-named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

"Done in duplicate in London on the 26th day of May, 1942, in the English and Russian languages, both texts being equally authentic.

Anthony Eden. V. Molotov."

VIII. United Nations Commission to Investigate War Crimes

(Dept. of State Bulletin, October 10, 1942, Vol. VII, No. 172)

The President has made the following statement:

"On August 21 I said that this Government was constantly receiving information concerning the barbaric crimes being committed by the enemy against civilian populations in occupied countries, particularly on the continent of Europe. I said it was the purpose of this Government, as I knew it to be the purpose of the other United Nations, to see that when victory is won the perpetrators of these crimes shall answer for them before courts of law.

"The commission of these crimes continues.

"I now declare it to be the intention of this Government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals.

"With a view to establishing responsibility of the guilty inidviduals through the collection and assessment of all available evidence, this Government is prepared to cooperate with the British and other Governments in establishing a United Nations Commission for the Investigation of War Crimes.

"The number of persons eventually found guilty will undoubtedly be extremely small compared to the total enemy populations. It is not the intention of this Government or of the Governments associated with us to resort to mass reprisals. It is our intention that just and sure punishment shall be meted out to the ringleaders responsible for the organized murder of thousands of innocent persons and the commission of atrocities which have violated every tenet of the Christian faith."

IX. American Military Operations in French North Africa

Messages of President Roosevelt to Officials of France, Portugal, Spain, Algeria, and Tunisia; and Replies

(Dept. of State Bulletin, November 21, 1942, Vol. VII, No. 177)

In connection with the current military operations in French North Africa, the President has sent the following message to the Chief of the French State, Marshal Henri Philippe Pétain:

"MARSHAL PÉTAIN:

"I am sending this message to you as the Chef d'État of the United States to the Chef d'Etat of the Republic of France.

"When your Government concluded the Armistice Convention in 1940, it was impossible for any of us to foresee the program of systematic plunder which the German Reich would inflict on the French people.

"That program, implemented by blackmail and robbery, has deprived the French population of its means of subsistence, its savings; it has paralyzed French industry and transport: it has looted French factories and French farms—all for the benefit of a Nazi Reich and a Fascist Italy under whose Governments no liberty loving nation could long exist.

"As an old friend of France and the people of France, my anger and sympathy grows with every passing day when I consider the misery, the want, and the absence from their homes of the flower of French manhood. Germany has neglected no opportunity to demoralize and degrade your great nation.

"Today, with greedy eyes on that Empire which France so laboriously constructed, Germany and Italy are proposing to invade and occupy French North Africa in

order that they may execute their schemes of domination and conquest over the whole of that continent.

"I know you will realize that such a conquest of Africa would not stop there but would be the prelude to further attempts by Germany and Italy to threaten the conquest of large portions of the American Hemisphere, large dominations over the Near and Middle East, and a joining of hands in the Far East with those military leaders of Japan who seek to dominate the whole of the Pacific.

"It is evident, of course, that an invasion and occupation of French North and West Africa would constitute for the United States and all of the American Republics the gravest kind of menace to their security—just as it would sound the death knell of the French Empire.

"In the light of all the evidence of our enemy's intentions and plans, I have, therefore, decided to dispatch to North Africa powerful American armed forces to cooperate with the governing agencies of Algeria, Tunisia and Morocco in repelling this latest act in the long litany of German and Italian international crime.

"These indomitable American forces are equipped with massive and adequate weapons of modern warfare which will be available for your compatriots in North Africa in our mutual fight against the common enemy.

"I am making all of this clear to the French Authorities in North Africa, and I am calling on them for their cooperation in repelling Axis threats. My clear purpose is to support and aid the French Authorities and their administrations. That is the immediate aim of these American armies.

"I need not tell you that the ultimate and greater aim is the liberation of France and its Empire from the Axis yoke. In so doing we provide automatically for the security of the Americas.

"I need not again affirm to you that the United States of America seeks no territories and remembers always the historic friendship and mutual aid which we have so greatly given to each other.

"I send to you and, through you, to the people of France my deep hope and belief that we are all of us soon to enter into happier days.

FRANKLIN D. ROOSEVELT"

In reply, Marshal Pétain sent the following message to President Roosevelt:

"It is with stupor and sadness that I learned tonight of the aggression of your troops against North Africa.

"I have read your message. You invoke pretexts which nothing justifies. You attribute to your enemies intentions which have not ever been manifested in acts. I have always declared that we would defend our Empire if it were attacked; you should know that we would defend it against any aggressor whoever he might be. You should know that I would keep my word.

"In our misfortune I had, when requesting the armistice, protected our Empire and it is you who acting in the name of a country to which so many memories and ties bind us have taken such a cruel initiative.

"France and her honor are at stake.

"We are attacked; we shall defend ourselves; this is the order I am giving.

PHILIPPE PÉTAIN"

X. Temporary Political Arrangement in North and West Africa

(Dept. of State Bulletin, November 14, 1942, Vol. VII, No. 178)

Statement by the President

I have accepted General Eisenhower's political arrangements made for the time being in Northern and Western Africa.

I thoroughly understand and approve the feeling in the United States and Great Britain and among all the other United Nations that in view of the history of the past two years no permanent arrangement should be made with Admiral Darlan. People in the United Nations likewise would never understand the recognition of a reconstituting of the Vichy Government in France or in any French territory.

We are opposed to Frenchmen who support Hitler and the Axis. No one in our Army has any authority to discuss the future Government of France and the French Empire.

The future French Government will be established, not by any individual in metropolitan France or overseas but by the French people themselves after they have been set free by the victory of the United Nations.

The present temporary arrangement in North and West Africa is only a temporary expedient, justified solely by the stress of battle.

The present temporary arrangement has accomplished two military objectives. The first

was to save American and British lives on the one hand, and French lives on the other hand.

The second was the vital factor of time. The temporary arrangement has made it possible to avoid a "mopping up" period in Algiers and Morocco which might have taken a month or two to consummate. Such a period would have delayed the concentration for the attack from the west on Tunis, and we hope on Tripoli.

Every day of delay in the current operation would have enabled the Germans and Italians to build up a strong resistance, to dig in and make a huge operation on our part essential before we could win. Here again, many more lives will be saved under the present speedy offensive than if we had had to delay it for a month or more.

It will also be noted that French troops, under the command of General Giraud, have already been in action against the enemy in Tunisia, fighting by the side of American and British soldiers for the liberation of their country.

Admiral Darlan's proclamation assisted in making a "mopping up" period unnecessary. Temporary arrangements made with Admiral Darlan apply, without exception, to the current local situation only.

I have requested the liberation of all persons in Northern Africa who had been imprisoned because they opposed the efforts of the Nazis to dominate the world, and I have asked for the abrogation of all laws and decrees inspired by Nazi governments or Nazi ideologists. Reports indicate that the French of North Africa are subordinating all political questions to the formation of a common front against the common enemy.

XI. Agreement Between the Governments of the United States of America and Liberia

(Dept. of State Bulletin, December 5, 1942, Vol. VII, No. 180)

WHEREAS:

The situation of Liberia is made critical by the existing war and there is danger of attack or aggression by unfriendly powers; and

2. additional protection is necessary in order that the independence and security of the Republic may be safeguarded; and

3. the Government of Liberia has requested that the Government of the United States because of its traditional friendly interest in the welfare of Liberia, give such aid as may be possible in the circumstances in the defense of the Republic; and

4. the Government of Liberia has granted the Government of the United States in this emergency the right to construct, control, operate and defend at the sole cost and expense of the latter and without charge to the Republic of Liberia, such military and commercial airports in the Republic as in consultation with the Government of the Republic of Liberia may mutually be considered necessary; and the right also to assist in the protection and defense of any part of the Republic which might be liable to attack during the present war, said grant to include the right to construct access roads from Monrovia to the airport at Roberts Field on the Farmington River and the seaplane facilities at Fisherman Lake in the County of Grand Cape Mount; and

5. the above mentioned rights have been granted as of February 14, 1942 to become effective from that date and to remain in effect for the duration of the existing war and for a period not to exceed six months thereafter;

THEREFORE:

the undersigned to wit:

HARRY A. MCBRIDE, Special Representative of the President of the United States of America, acting on behalf of the Government of the United States; and

CLARENCE L. SIMPSON, Secretary of State of the Republic of Liberia, acting on behalf of the Government of Liberia, have agreed as follows:

ARTICLE 1

The grants of rights specified above shall also include the right to improve and deepen channels, to construct connecting roads, communication services, fortifications, repair and storage facilities and housing for personnel, and generally the right to do any and all things necessary to insure the efficient operation, maintenance and protection of such defense facilities as may be established;

ARTICLE 2

The Republic of Liberia retains sovereignty over all such airports, fortifications and other defense areas as may be established under the rights above granted. The Government of the United States during the life of this Agreement shall have exclusive jurisdiction over any such airports and defense areas in Liberia and over

the military and civilian personnel of the Government of the United States and their families within the airports, fortifications and other defense areas, as well as over all other persons within such areas except Liberian citizens.

It is understood, however, that the Government of the United States may turn over to the Liberian authorities for trial and punishment any person committing an offense in such defense areas. And the Liberian authorities will turn over to the United States authorities for trial and punishment any of the United States military or civilian personnel and their families who may commit offenses outside such defense areas. The Liberian authorities and the United States authorities will take adequate measures to insure the prosecution and punishment in cases of conviction of all such offenders, it being understood that the relevant evidence shall be furnished reciprocally to the two authorities.

ARTICLE 3

It is agreed that the Government of the United States shall have the right to establish and maintain postal facilities and commissary stores to be used solely by the military and civilian personnel of the United States Government and their families stationed in Liberia in connection with this Agreement and with such aid in the defense of Liberia as the Government of the United States may furnish.

ARTICLE 4

All materials, supplies and equipment for the construction, use and operation of said airports of

the United States Government and for the personal needs of the military and civilian personnel and their families, shall be permitted entry into Liberia free of customs duties, excise taxes, or any other charges, and the said personnel and their families shall also be exempt from all forms of taxes, assessments and other levies by the Liberian Government and authorities, including exemption from Liberian regulations pertaining to passports, visas and residence permits.

The Government of the United States undertakes to respect all legitimate interests of Liberia and of Liberian citizens, as well as all the laws, regulations and customs relating to the native population and the internal administration of Liberia. In exercising the rights derived from this Agreement, the Government of the United States undertakes to give sympathetic consideration to all representations made by the Liberian authorities with respect to the welfare of the inhabitants of Liberia.

In respect of the commercial use of such airports, passengers, mail and cargo entering or leaving Liberia by air shall have transit over such airports to and from a Liberian customs station established adjacent to said airports and under the exclusive jurisdiction of the Government of Liberia.

ARTICLE 5

The Government of the United States undertakes to extend to the Government of Liberia such aid as may be possible in the circumstances in the protection of the Republic, including necessary equipment for road construction, certain mone-

tary aids for defense purposes, certain assistance in the organization and training of the Liberian military forces and certain other assistance of a similar nature.

ARTICLE 6

The Government of the United States undertakes, at the end of the war and the additional period provided in Paragraph 5 of the Preamble to this Agreement, to withdraw all military forces of the United States. It is mutually understood and agreed that the jurisdiction hereby conferred on the Government of the United States over any airports and defense areas, and over military and civilian personnel under the provisions of Article 2 of this Agreement, shall continue until all matters calling for judicial determination, but undisposed of after the termination of this Agreement, shall have been disposed of by the United States authorities, or, alternately, until the withdrawal of the United States forces shall be complete.

ARTICLE 7

The Government of Liberia and the Government of the United States agree that at this time the above Agreement shall apply to the air facilities at Roberts Field on the Farmington River, and at Fisherman Lake in the County of Grand Cape Mount. If other defense areas of this kind are deemed necessary in the future, their location will be fixed by mutual agreement.

ARTICLE 8

For the purposes of this Agreement, a Defense Area shall be construed as the actual areas of said

airports and such additional areas in the immediate neighborhood upon which installations necessary for defense may be established by agreement between the United States Commanding Officer and the Liberian Government.

Signed, at Monrovia, Liberia, in duplicate, the texts having equal force, this 31st day of March, 1942.

HARRY A. MCBRIDE
Special Representative of the President of the United States of America

C. L. SIMPSON
Secretary of State of the Republic of Liberia

XII. Support of the United Nations by the French in North Africa

(Dept. of State Bulletin, December 19, 1932, Vol. VII, No. 182)

Statement by the President Including Declaration by Admiral Darlan

Since November 8th people of North Africa have accomplished much in support of the war effort of the United Nations, and in doing so have definitely allied themselves on the side of liberalism against all for which the Axis stands in government. I am informed in this connection by General Eisenhower that Admiral Darlan has made the following declaration:

"French Africa with the Allies must make the maximum military effort for the defeat of Germany and Italy. This will be accomplished by the unity of all citizens, regardless of their political or religious opinions, in an orderly and cohesive fashion.

"At last liberated from German and Italian restrictions, the French authorities in Africa will adjust the situation which has existed in accordance with French national traditions. Once France and the French Empire is free from the Axis yoke, the French people themselves will decide freely the form of government and national policy they desire.

"In actual accomplishment the high commissioner has already granted full and complete amnesty to all against whom any action had been taken because of sympathy to the Allies. Certain of these have been given important posts in the High Commissariat. He has restored to their proper ranks and emoluments all Army officers who had been suspended from office because of rendering aid to the Allies. He is now organizing a body of representative private citizens to work with him in an advisory and

consultative capacity in carrying on official business. Prisoners and internees of the United Nations were promptly released and their travel to seaboard expedited.

"The High Commissioner has begun the restoration of rights to those persons from whom these had previously been taken because of race. Measures have been taken to stop immediately whatever persecution of the Jews may have resulted from the laws passed in France under German pressure. His announced purpose is to give just treatment to all elements making up the complex North African population to the end that all can dwell and work together under laws insuring mutual tolerance and respect for rights.

"There is little industrial development in North Africa and Vichy laws prejudicial to labor unions had little or no application and all reports show no serious problem here. Censorship of the press and radio in which Allied authorities participate is only that which is necessary for the security of military operation.

"On the practical military side, General Giraud has conducted the most active participation of the Armed Forces of North and West Africa in the Allied war effort. Units of substantial size under the leadership of General Giraud are fighting side by side with the United Nations in Tunisia against the Germans and Italians. All posts and airfield facilities including the services of officials and technicians have been made freely available for use by the Allies. North African shipping is already entering the services of the Allied Nations. Railroads, motor trucks, communications, public and private buildings and everything that North Africa has to give have been freely offered to the Allied Forces, wherever a military need exists.

"I have stated emphatically and repeatedly to the Commander in Chief, General Eisenhower, that in leading North and West Africa against Germany and Italy and into the ranks of the United Nations, I seek no assistance or support for any personal ambitions. I have announced that my sole purpose is to save French Africa, help free France and then retire to private life with a hope that the future leaders of France may be selected by the French people themselves and by no one else."

XIII. Declaration Regarding Forced Transfers of Property in Enemy-Controlled Territory

(Dept. of State Bulletin, January 9, 1943, Vol. VIII, No. 185)

The text of a declaration which has been made by the United States and certain others of the United Nations, regarding forced transfers of property in enemy-controlled territory, follows:

"The Union of South Africa, the United States of America, Australia, Belgium, Canada, China, the Czechoslovak Republic, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, Greece, India, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Yugoslavia and the French National Committee:

"Hereby issue a formal warning to all concerned, and in particular to persons in neutral countries, that they intend to do their utmost to defeat the methods of dispossession practiced by the governments with which they are at war against the countries and peoples who have been so wantonly assaulted and despoiled.

"Accordingly the governments making this declaration and the French National Committee reserve all their rights to declare invalid any transfers of, or dealings with, property, rights and interests of any description whatsoever which are, or have been, situated in the territories which have come under the occupation or control, direct or indirect, of the governments with which they are at war or which belong or have belonged, to persons, including juridical persons, resident in such territories. This warning applies whether such transfers or dealings have taken the form of open looting or plunder, or of transactions apparently legal in form, even when they purport to be voluntarily effected.

"The governments making this declaration and the French National Committee solemnly record their solidarity in this matter."

XIV. Agreement With Great Britain Regarding Problems of Marine Transportation and Litigation

(Department of State Bulletin, January 9, 1943, Vol. VIII, No. 185)

An agreement between the United States and Great Britain on certain problems of marine transportation and litigation was signed by the American Ambassador in London, Mr. John G. Winant, and the British Foreign Secretary, Mr. Anthony Eden, on December 4, 1942. This agreement is another example of the close cooperation between the two Governments in the prosecution of the war. It is abundantly clear that merchant shipping is at the nerve center of the whole war effort. This agreement aims at eliminating losses of tonnage and manpower in useless litigation. In general, each Government has agreed to waive claims against the other arising out of collisions, damage to cargo, and the rendering of salvage services. In the end, of course, with two great fleets such as ours the litigation proves useless. Recoveries tend to even themselves out. No financial advantage is gained by either Government, but much essential manpower is lost in the process.

Ordinarily a casualty at sea involves the expenditure of much time and skilled manpower in assessing the amounts payable by the various parties interested in both ship and cargo. Delays occur and frequently ships are threatened with arrest or even actually arrested in order that

security may be provided for meeting the claims asserted.

All this is now a thing of the past where the interests involved are those of the British and United States Governments. In future, if a collision occurs between a ship belonging to the one Government (whether warship or merchantman) and a ship belonging to the other Government, no legal proceedings will be taken to determine the degree of blame and no claims for damages will be made by either Government against the other. The work of repair will be undertaken at once without thought of anything but getting the damaged ship back into service in the war effort at the earliest possible moment.

Nor where cargoes belonging to one Government are damaged while on board a ship belonging to the other Government will time be wasted in the future in determining the liability for such damage. General average contributions will not be payable by the one Government to the other.

Another interesting feature of the agreement is that in the future all salvage services rendered by either Government to the ships or cargo owned or insured by the other will be rendered on lend-lease terms, each Government paying its own nationals. The sole object of salvage services rendered will be to bring the ship or cargo salved back into service as rapidly as possible without regard to any financial considerations.

Article IV of the agreement is a further example of close cooperation. Either Government may call upon the other for legal assistance where vessels or cargo owned by the one Government

are threatened with arrest in the courts of the other. Where a request is made for such assistance the Treasury Solicitor in the United Kingdom and the Attorney General in the United States will make arrangements for the immediate release of the ship and for the protection of the interests of the other Government. Clearly it is of as much interest to the United States that British ships sail as that American ships sail, and vice versa. All are equally devoted to the common cause. This article means to insure that there will be no delays.

It will be observed that the provisions of the agreement regarding waiver of claims relate only to claims of one Government against the other and do not apply to claims between either Government and private interests.

The texts of the agreement and of an exchange of notes in connection therewith follow.

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland being desirous of defining, in so far as certain problems of marine transportation and litigation are concerned, the manner in which shall be provided mutual aid in the conduct of the war including the aid contemplated by the Agreements concluded between them at Washington on the 23rd February, 1942, and the 3rd September, 1942, have agreed as follows:

ARTICLE 1

(1) Each contracting Government agrees to waive all claims arising out of or in connection with negligent navigation or general average in

respect of any cargo or freight owned by such Government and in respect of any vessel (including naval vessel) owned by such Government against the other contracting Government or any cargo, freight or vessel (including naval vessel) owned by such other Government or against any servant or agent of such other Government or in any case where such other Government represents that such claim if made would ultimately be borne by such other Government.

(2) Each contracting Government agrees on behalf of itself and of any organisation which is owned or controlled by it and operating for its account or on its behalf to waive all claims for salvage services against the other contracting Government or against any cargo, freight or vessel (including naval vessel) owned by such other Government or in any case where such other Government represents that such salvage claim if made would ultimately be borne by such other Government.

(3) Each contracting Government agrees to waive all claims for loss of or damage to cargo owned by such Government and arising out of the carriage thereof or for loss of or damage to any cargo or vessel owned by one contracting Government and caused by the shipment or carriage of cargo owned by the other contracting Government against such other Government or against any servant or agent of such other Government or against any vessel (including naval vessel) owned by such other Government or in any case where such other Government represents that the claim if made would ultimately be borne by such other Government.

(4) Each contracting Government undertakes not to make any claim in respect of any vessel or cargo insured by it to which it may be entitled by virtue of any right of subrogation either—

(a) directly against the other contracting Government; or

(b) in any case where such other Government represents that such claim if made would ultimately be borne by such other Government.

(5) Each contracting Government agrees to extend the principles of this Agreement to such other maritime claims as may from time to time be agreed between them.

ARTICLE 2

Where in any case claims arise which are not required to be waived by this Agreement in addition to or in conjunction with claims which are so required to be waived and it is necessary in any proceedings including proceedings for the limitation of liability that claims be marshalled or for the proper assessment of any salvage or general average that values should be estimated, the provisions of this Agreement shall not apply but claims which would otherwise be required to be waived under this Agreement shall be asserted. Any recoveries, however, shall be waived by the Government entitled to such recoveries or at the option of such Government shall be dealt with in such other way as will give effect to the purposes of this Agreement.

ARTICLE 3

(1) For the purpose of this Agreement the expression "vessel owned by a contracting Gov-

ernment'' includes a vessel on bare boat charter to a contracting Government or requisitioned by a contracting Government on bare boat terms or otherwise in the possession of a contracting Government (except to the extent that the risk of loss or liability is borne by some person other than either contracting Government).

(2) In order to carry out the full intention of the provisions of Article 1 of this Agreement each contracting Government will so arrange in connection with bare boat charters to it that the owners or persons interested through such owners shall not have or assert any claims of the character specified in Article 1.

ARTICLE 4

Each contracting Government upon the request of the other will provide undertakings for the release of vessels or cargo owned by the other contracting Government from judicial proceedings in Courts in the United States of America or in the United Kingdom as the case may be where such release will promote the war effort and the requesting Government so represents, upon compliance with the following conditions:

(a) upon the tender of such request due authority will be conferred by the Government interested in such vessel or cargo upon the law officers of the Government furnishing the undertaking to appear on their behalf and to conduct the defence of such proceedings in so far as such vessel or cargo is concerned, to settle or compromise any such suit, to assert or settle and compromise any claim to which the requesting Government may be entitled

in respect to the subject matter of the suit and to make and receive payments in respect thereof; and

(b) the requesting Government upon tendering such a request will assure the other Government of its full co-operation in making defence to such suit and asserting such claims including the making available of witnesses and evidence and including preparation for trial.

Unless otherwise agreed, each contracting Government will reimburse or account to the other for any payment made or received by the one Government on behalf of the other.

ARTICLE 5

Nothing in this Agreement shall be construed as a waiver of the right of either contracting Government in appropriate cases to assert sovereign immunity.

ARTICLE 6

(1) This Agreement, which shall come into force on the date of signature, shall apply in respect of all claims arising before the date of this Agreement but remaining unsettled at such date or which may arise during the currency of this Agreement.

(2) This Agreement shall remain in force until the expiration of six months from the date upon which either of the contracting Governments shall have given notice in writing of their intention to terminate it.

IN WITNESS WHEREOF the undersigned, duly authorized to that effect by their respective Govern-

ments, have signed the present Agreement and have affixed thereto their seals.

DONE in London in duplicate, this fourth day of December, 1942.

Exchange of Notes Between the American Ambassador and the British Foreign Secretary

DECEMBER 4, 1942.

SIR:

With reference to Article IV of the agreement signed today between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America relating to certain problems of maritime transportation and litigation, I have the honor to state that for the present and until further notice it is the intention of my Government that the accounting contemplated by that Article will be accomplished under the Act of Congress of March 11, 1941 to the extent authorized under that Act.

Accordingly, the Government of the United States will in appropriate cases make such payments as are necessary in the course of operations under the agreement according to its procedure in the administration of that Act and will receive any moneys which may accrue in the course of such operations as a benefit under that Act and Article VI of the agreement between our two Governments dated February 23, 1942.

Accept [etc.] JOHN G. WINANT

XV. Agreement With Belgium Providing Aid to the United States and Its Armed Forces

(Department of State Bulletin, February 6, 1943, Vol. VIII, No. 189)

An agreement specifying the principles and procedures applicable to the provision of aid to the United States and its armed forces by the Government of Belguim was concluded January 30 by an exchange of notes between the Secretary of State and the Belgian Ambassador, Count Robert van der Straten Ponthoz. The Government of Belguim, without awaiting the signature of the agreement, has for some time been extending such aid.

The texts of the notes, which are similar to those exchanged on September 3, 1942 with the Governments of the United Kingdom, Australia, and New Zealand, follow:

The Belgian Ambassador to the Secretary Of State

JANUARY 30, 1943.

SIR:

In the United Nations declaration of January 1, 1942, the contracting governments pledged themselves to employ their full resources, military and economic, against those nations with which they are at war; and in the Agreement of June 16, 1942, each contracting government undertook to provide the other with such articles, services, facilities or information useful in the prosecution of their common war undertaking as each may be in a position to supply. It is further the understanding of the Government of Belgium that the general principle

to be followed in providing mutual aid as set forth in the said Agreement of June 16, 1942, is that the war production and the war resources of both Nations should be used by the armed forces of each and of the other United Nations in ways which most effectively utilize the available materials, manpower, production facilities and shipping space.

With a view, therefore, to supplementing Article II and Article VI of the Agreement of June 16, 1942, between our two Governments for the provision of reciprocal aid, I have the honor to set forth the understanding of the Government of Belgium of the principles and procedures applicable to the provision of aid by the Government of Belguim to the armed forces of the United States and the manner in which such aid will be correlated with the maintenance of such forces by the United States Government.

1. The Government of Belgium, retaining the right of final decision in each case in the light of its potentialities and responsibilities, will provide the United States or its armed forces with the following types of assistance as such reciprocal aid, when it is found that they can most effectively be procured in Belgium or the Belgian Congo:

(a) Supplies, materials, facilities and services for the United States forces, except for the pay and allowances of such forces, administrative expenses, and such local purchases as its official establishments may make other than through the official establishments of the Government of Belgium as specified in paragraph 2.

(b) Supplies, materials and services needed in the construction of military projects, tasks and

similar capital works required for the common war effort in Belgium or the Belgian Congo, except for the wages and salaries of United States citizens.

(c) Supplies, materials and services needed in the construction of such military projects, tasks and capital works in territory other than Belgium or the Belgian Congo or territory of the United States to the extent that Belgium or the Belgian Congo is a more practicable source of supply than the United States or another of the United Nations.

2. The practical application of the principles formulated in this note, including the procedure by which requests for aid are made and acted upon, shall be worked out as occasion may require by agreement between the two Governments, acting when possible through their appropriate military or civilian administrative authorities. Requests by the United States Government for such aid will be presented by duly authorized authorities of the United States to official agencies of the Belgian Government which will be designated or established by the Government of Belgium for the purpose of facilitating the provision of reciprocal aid.

3. It is the understanding of the Government of Belgium that all such aid, as well as other aid, including information, received under Article VI of the Agreement of June 16, 1942, accepted by the President of the United States or his authorized representatives from the Government of Belgium will be received as a benefit to the United States under the Act of March 11, 1941. In so far as circumstances will permit, appropriate record

of aid received under this arrangement, except for miscellaneous facilities and services, will be kept by each Government.

If the Government of the United States concurs in the foregoing, I would suggest that the present note and your reply to that effect be regarded as placing on record the understanding of our two Governments in this matter and that for clarity and convenience of administration these arrangements be made retroactive to June 16, 1942, the date of the Agreement of the two Governments on the principles of mutual aid.

I avail [etc.]

Count R. van der Straten Ponthoz

The Secretary of State to the Belgian Ambassador

January 30, 1943.

Excellency:

I have the honor to acknowledge the receipt of your note of today's date concerning the principles and procedures applicable to the provision of aid by the Government of Belgium to the armed forces of the United States of America.

In reply I wish to inform you that the Government of the United States agrees with the understanding of the Government of Belgium as expressed in that note. In accordance with the suggestion contained therein, your note and this reply will be regarded as placing on record the understanding between our two Governments in this matter.

This further integration and strengthening of our common war effort gives me great satisfaction.

Accept [etc.] Cordell Hull

XVI. Capture of Prizes on the High Seas

(Proclamation, No. 2575, January 30, 1943)

"WHEREAS the act of August 18, 1942, Public Law 704, 77th Congress, contains in part the following provisions:

" '*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the district courts shall have original jurisdiction of all prizes captured during the present war on the high seas if said capture was made by authority of the United States or was adopted and ratified by the President of the United States and the prize was brought into the territorial waters of a cobelligerent or was taken or appropriated for the use of the United States on the high seas or in such territorial waters, including jurisdiction of all proceedings for the condemnation of such property taken as prize.

* * * * *

" 'SEC. 3. The jurisdiction of prizes brought into the territorial waters of a cobelligerent shall not be exercised under authority of this Act, nor shall prizes be taken or appropriated within such territorial waters for the use of the United States, unless the government having jurisdiction over such territorial waters consents to the exercise of such jurisdiction or to such taking or appropriation.

* * * * *

" 'SEC. 7. A cobelligerent of the United States which consents to the exercise of the jurisdiction herein conferred with respect to prizes of the United States brought into its territorial waters and to the taking or appropriation of such prizes within its territorial waters for the use of the United States shall be accorded, upon proclamation by the President of the United States, like privileges with respect to prizes captured under authority of such cobelligerent and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of such cobelligerent. Reciprocal recognition and full

faith and credit shall be given to the jurisdiction acquired by courts of a cobelligerent hereunder and to all proceedings had or judgments rendered in exercise of such jurisdiction.'

"WHEREAS the Government of the United Kingdom, a cobelligerent, has consented to the exercise of the jurisdiction conferred by the said act with respect to prizes of the United States brought into the territorial waters of the United Kingdom and Sierra Leone and to the taking or appropriation of such prizes within the territorial waters of the United Kingdom and Sierra Leone for the use of the United States:

"NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the said act of August 18, 1942, do proclaim that the Government of the United Kingdom shall be accorded like privileges with respect to prizes captured under authority of the said Government and brought into the territorial waters of the United States or taken or appropriated in the territorial waters of the United States for the use of the said Government.

"IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

"Done at the City of Washington this 30th day of January in the year of our Lord nineteen hundred and forty-three and of the Independence of the United States of America the one hundred and sixty-seventh."

XVII. Neutrality Act of 1939

Joint Resolution Amending Section 7. Approved February 21, 1942

(Public Law 459, 77th Cong., Chap. 104, 2d Sess.)

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Section 7 of the Neutrality Act of 1939 (Public Resolution Numbered 54, Seventy-sixth Congress) is amended by adding at the end thereof the following new paragraph:

"(e) This section shall not be operative when the United States is at war."

XVIII. German Action With Respect to Americans Formerly Stationed in France

(Dept. of State Bulletin, February 13, 1943, Vol. VIII, No. 190)

At his press conference on February 11, 1943 the Under Secretary of State, Mr. Sumner Welles, said there were one or two facts that he would like to ask the members of the press conference to think about since they were of particular importance and he wondered if the people of this country realized the full significance of what he had in mind. Mr. Welles said that he was talking about the action of the German Government in not only refusing to permit the diplomatic personnel of the United States who had been stationed at Vichy to leave France but also the action of the Hitler government in taking that considerable number of American diplomatic officers and putting them in concentration in Germany. As the press would probably remember, Mr. Welles continued, the reason for the action taken was that the German Government insisted that as part of the exchange involved, not only should the United States Government permit the members of the French Embassy staff here to return but also that we should permit the German members of the German Armistice Commission in North Africa, who had been taken at the time of the American occupation in North Africa, to be returned to Germany as a part of the exchange. Frankly, said Mr. Welles, that was one of the cheapest

efforts of international blackmail that he had yet known. After pointing out that the German Armistice Commission was composed of military and civilian members, Mr. Welles said that this Government agreed to permit the civilian members of the German Armistice Commission to be returned as a part of the exchange thereto properly in accordance with every principle of international conduct and law. The military members, Mr. Welles said, were regarded in a different category and not susceptible to that part of the exchange transaction. In conclusion, Mr. Welles said that that is the reason why our American diplomatic officials are now in concentration in Germany, and he thought it was important that the fact be known and thoroughly known.

When asked if we had made any protest to the Germans through the Swiss, Mr. Welles said that we had made numerous protests on the subject. In reply to a question as to whether there was any further action that the Government could take, Mr. Welles said not for the moment and added that he would put it that way.

Replying to a correspondent who asked if the military members were considered prisoners of war, Mr. Welles said that military members were considered by the War Department as prisoners of war.

A correspondent asked if the Under Secretary could elaborate to any extent on the treatment being accorded the American diplomats in Germany and began to point out that Mr. Welles spoke of a concentration camp. Mr. Welles interrupted to say that he did not say "concentration camp" but had said "in concentration". Mr.

Welles said that he understood that the American diplomats were lodged in a hotel in western Germany and the reports so far would seem to indicate that they were obtaining good treatment. When asked if there was no prospect of their coming home, Mr. Welles said not for the time being for the reasons stated.

A correspondent asked if that meant that our friends in Hershey, Pa., would have to stay there a while longer. Mr. Welles said that it seemed that way.

When asked how many were involved, Mr. Welles said that the correspondents would be given the appropriate figure. (The total number of the American group in Germany is 139, of which 95 are personnel of the State, War, and Navy Departments and the remainder, journalists and Red Cross and other relief workers. The Germans involved in the prospective exchange total 71, of which 47 are military personnel and 24 civilians.)

XIX. United States Trade With Spain

Statement by the Acting Secretary of State, Mr. Welles

(Dept. of State Bulletin, March 6, 1943, Vol. VIII, No. 193)

At the time American forces landed in North Africa the President gave the Spanish Government unqualified assurances that no action would be taken by our forces which would call for any departure by the Spanish Government from its position of neutrality in the war. The Spanish Government, on our invitation, gave us unqualified assurances that for its part the Spanish Government was determined to continue its policy of neutrality and that it would resist by force any external aggression against its territories from whatever source.

Our trade with Spain is a two-way trade, and there are certain commodities in Spain which are needed in our war effort. It is naturally in our interest that those Spanish commodities needed in this country should reach the United States rather than fall into enemy hands, and to accomplish this a trade program is necessary. The trade program with Spain has been carefully reviewed by the Joint Chiefs of Staff.

Trade between the United States and Spain is of course subject to the control system jointly maintained by the United States and the British Governments, since the British are likewise engaged in a two-way trade program with Spain. The interchange of goods with Spain is a matter of

joint discussion and programming between United States and British authorities. Before any goods from outside of Spain are permitted by the United States and British authorities to proceed to their destination the fullest assurances satisfactory to both the British and the United States Governments must be given by the importers and the Spanish Government that the goods will not be allowed to reach enemy hands, directly or indirectly.

As regards wartime trade between the United States and Spain, it must be recognized that this trade can be maintained only to such extent as both countries believe to be in their respective national interests. Naturally in the case of the United States all considerations in respect to foreign trade are definitely subordinated to the conduct of the war.

Spain requires a determinable minimum amount of petroleum from the Western Hemisphere to maintain her economic life. The carefully restricted quality of petroleum which has been cleared by the two Governments destined to Spain has with the exception of packaged lubricants been obtained from sources outside of the United States and has been transported exclusively in Spanish tankers. This had had no effect whatsoever on the quantity of petroleum available to any consumers in the United States. The restricted volume of petroleum imports into Spain has provided for minimum current needs and makes the accumulation of stocks impossible. No petroleum products of aviation grade have been included.

XX. Bases in the Pacific

(Dept. of State Bulletin, March 13, 1943, Vol. VIII, No. 194)

At his press conference on March 8 the Acting Secretary of State, Mr. Welles, replying to a question of a correspondent concerning reports in congressional circles that informal assurances have been received from some of our Pacific allies concerning permanent rights to bases after the war, stated that that raised a very important general question and he thought the most helpful way he could approach it was along the lines that our whole policy is directed toward assuring ourselves that the security of this country and the security of the people of the United States would be completely safeguarded at the end of this war. Certainly one of the elements in that policy, Mr. Welles said, is the unconditional surrender and the complete disarmament of Japan. Mr. Welles continued that his belief was that emphasis should be placed on the means of international security that can be achieved in the future so that the Pacific will be as safe for all law-abiding nations and peaceful nations that are interested in the Pacific as for the United States. Not that the United States should claim that the Pacific should be a lake under American jurisdiction, but rather, Mr. Welles said, that it should be a peaceful lake equally secure and equally safe for all powers and particularly for all powers interested in the

Pacific. Mr. Welles concluded that naturally the question which the correspondent asked was a question which he thought all the United Nations would wish to discuss—and particularly all the nations which are interested in the Pacific would wish to discuss.

XXI. Treaty With China Ending Extraterritoriality

(Signed January 11, 1943; Ratified May 4, 1943; Ratifications Exchanged, May 20, 1943; Proclaimed May 24, 1943)

The United States of America and the Republic of China, desirous of emphasizing the friendly relations which have long prevailed between their two peoples and of manifesting their common desire as equal and sovereign States that the high principles in the regulation of human affairs to which they are committed shall be made broadly effective, have resolved to conclude a treaty for the purpose of adjusting certain matters in the relations of the two countries, and have appointed as their Plenipotentiaries:

The President of the United States of America,

Mr. Cordell Hull, Secretary of State of the United States of America, and

The President of the National Government of the Republic of China,

Dr. Wei Tao-ming, Ambassador Extraordinary and Plenipotentiary of the Republic of China to the United States of America;

Who, having communicated to each other their full powers found to be in due form, have agreed upon the following articles:

Article I

All those provisions of treaties or agreements in force between the United States of America

and the Republic of China which authorize the Government of the United States of America or its representatives to exercise jurisdiction over nationals of the United States of America in the territory of the Republic of China are hereby abrogated. Nationals of the United States of America in such territory shall be subject to the jurisdiction of the Government of the Republic of China in accordance with the principles of international law and practice.

ARTICLE II

The Government of the United States of America considers that the Final Protocol concluded at Peking on September 7, 1901, between the Chinese Government and other governments, including the Government of the United States of America, should be terminated and agrees that the rights accorded to the Government of the United States of America under the Protocol and under agreements supplementary thereto shall cease.

The Government of the United States of America will cooperate with the Government of the Republic of China for the reaching of any necessary agreements with other governments concerned for the transfer to the Government of the Republic of China of the administration and control of the Diplomatic Quarter at Peiping, including the official assets and the official obligations of the Diplomatic Quarter, it being mutually understood that the Government of the Republic of China in taking over administration and control of the Diplomatic Quarter will make provision for the assumption and discharge of the official obliga-

tions and liabilities of the Diplomatic Quarter and for the recognition and protection of all legitimate rights therein.

The Government of the Republic of China hereby accords to the Government of the United States of America a continued right to use for official purposes the land which has been allocated to the Government of the United States of America in the Diplomatic Quarter in Peiping, on parts of which are located buildings belonging to the Government of the United States of America.

Article III

The Government of the United States of America considers that the International Settlements at Shanghai and Amoy should revert to the administration and control of the Government of the Republic of China and agrees that the rights accorded to the Government of the United States of America in relation to those Settlements shall cease.

The Government of the United States of America will cooperate with the Government of the Republic of China for the reaching of any necessary agreements with other governments concerned for the transfer to the Government of the Republic of China of the administration and control of the International Settlements at Shanghai and Amoy, including the official assets and the official obligations of those Settlements, it being mutually understood that the Government of the Republic of China in taking over administration and control of those Settlements will make provision for the assumption and discharge of the offi-

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cial obligations and liabilities of those Settlements and for the recognition and protection of all legitimate rights therein.

Article IV

In order to obviate any questions as to existing rights in respect of or as to existing titles to real property in territory of the Republic of China possessed by nationals (including corporations or associations), or by the Government of the United States of America, particularly questions which might arise from the abrogation of the provisions of treaties or agreements as stipulated in Article I, it is agreed that such existing rights or titles shall be indefeasible and shall not be questioned upon any ground except upon proof, established through due process of law, of fraud or of fraudulent or other dishonest practices in the acquisition of such rights or titles, it being understood that no right or title shall be rendered invalid by virtue of any subsequent change in the official procedue through which it was acquired. It is also agreed that these rights or titles shall be subject to the laws and regulations of the Republic of China concerning taxation, national defense, and the right of eminent domain, and that no such rights or titles may be alienated to the government or nationals (including corporations or associations) of any third country without the express consent of the Government of the Republic of China.

It is also agreed that if it should be the desire of the Government of the Republic of China to replace, by new deeds of ownership, existing leases

in perpetuity or other documentary evidence relating to real property held by nationals, or by the Government of the United States of America, the replacement shall be made by the Chinese authorities without charges of any sort and the new deeds of ownership shall fully protect the holders of such leases or other documentary evidence and their legal heirs and assigns without diminution of their prior rights and interests, including the right of alienation.

It is further agreed that nationals or the Government of the United States of America shall not be required or asked by the Chinese authorities to make any payments of fees in connection with land transfers for or with relation to any period prior to the effective date of this treaty.

ARTICLE V

The Government of the United States of America having long accorded rights to nationals of the Republic of China within the territory of the United States of America to travel, reside and carry on trade throughout the whole extent of that territory, the Government of the Republic of China agrees to accord similar rights to nationals of the United States of America within the territory of the Republic of China. Each of the two Governments will endeavor to have accorded in territory under its jurisdiction to nationals of the other country, in regard to all legal proceedings, and to matters relating to the administration of justice, and to the levying of taxes or requirements in connection therewith, treatment not less favorable than that accorded to its own nationals.

Article VI

The Government of the United States of America and the Government of the Republic of China mutually agree that the consular officers of each country, duly provided with exequaturs, shall be permitted to reside in such ports, places and cities as may be agreed upon. The consular officers of each country shall have the right to interview, to communicate with, and to advise nationals of their country within their consular districts; they shall be informed immediately whenever nationals of their country are under detention or arrest or in prison or are awaiting trial in their consular districts and they shall, upon notification to the appropriate authorities, be permitted to visit any such nationals; and, in general, the consular officers of each country shall be accorded the rights, privileges, and immunities enjoyed by consular officers under modern international usage.

It is likewise agreed that the nationals of each country, in the territory of the other country, shall have the right at all times to communicate with the consular officers of their country. Communications to their consular officers from nationals of each country who are under detention or arrest or in prison or are awaiting trial in the territory of the other country shal be forwarded to such consular officers by the local authorities.

Article VII

The Government of the United States of America and the Government of the Republic of China mutually agree that they will enter into negotia-

tions for the conclusion of a comprehensive modern treaty of friendship, commerce, navigation and consular rights, upon the request of either Government or in any case within six months after the cessation of the hostilities in the war against the common enemies in which they are now engaged. The treaty to be thus negotiated will be based upon the principles of international law and practice as reflected in modern international procedures and in the modern treaties which the Government of the United States of America and the Government of the Republic of China respectively have in recent years concluded with other governments.

Pending the conclusion of a comprehensive treaty of the character referred to in the preceding paragraph, if any questions affecting the rights in territory of the Republic of China of nationals (including corporations or associations), or of the Government, of the United States of America should arise in future and if these questions are not covered by the present treaty, or by the provisions of existing treaties, conventions, or agreements between the Government of the United States of America and the Government of the Republic of China not abrogated by or inconsistent with this treaty, such questions shall be discussed by representatives of the two Governments and shall be decided in accordance with generally accepted principles of international law and with modern international practice.

Article VIII

The present treaty shall come into force on the day of the exchange of ratifications.

The present treaty shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible.

Signed and sealed in the English and Chinese languages, both equally authentic, in duplicate, at Washington, this eleventh day of January, one thousand nine hundred forty-three, corresponding to the eleventh day of the first month of the thirty-second year of the Republic of China.

CORDELL HULL [SEAL]
WEI TAO-MING [SEAL]

Supplementary Exchange of Notes

CHINESE EMBASSY,
Washington, January 11, 1943.

Honorable CORDELL HULL,
Secretary of State.

EXCELLENCY:

Under instruction of my Government, I have the honor to state that in connection with the treaty signed today by the Government of the Republic of China and the Government of the United States of America, in which the Government of the United States of America relinquishes its extraterritorial and related special rights in China, it is the understanding of the Government of the Republic of China that the rights of the Government of the United States of America and of its nationals in regard to the systems of treaty ports and of special courts in the International Settlements at Shanghai and Amoy and in regard to the employment of foreign pilots in the ports of the territory of China are also relinquished. In the light of the

abolition of treaty ports as such, it is understood that all coastal ports in the territory of the Republic of China which are normally open to American overseas merchant shipping will remain open to such shipping after the coming into effect of the present treaty and the accompanying exchange of notes.

It is mutually agreed that the merchant vessels of each country shall be permitted freely to come to the ports, places, and waters of the other country which are or may be open to overseas merchant shipping, and that the treatment accorded to such vessels in such ports, places, and waters shall be no less favorable than that accorded to national vessels and shall be as favorable as that accorded to the vessels of any third country.

It is mutually understood that the Government of the United States of America relinquishes the special rights which vessels of the United States of America have been accorded with regard to the coasting trade and inland navigation in the waters of the Republic of China and that the Government of the Republic of China is prepared to take over any American properties that may have been engaged for those purposes and to pay adequate compensation therefor. Should either country accord the rights of inland navigation or coasting trade to vessels of any third country such rights would similarly be accorded to the vessels of the other country. The coasting trade and inland navigation of each country are excepted from the requirement of national treatment and are to be regulated according to the laws of

each country in relation thereto. It is agreed, however, that vessels of either country shall enjoy within the territory of the other country with respect to the coasting trade and inland navigation treatment as favorable as that accorded to the vessels of any third country.

It is mutually understood that the Government of the United States of America relinquishes the special rights which naval vessels of the United States of America have been accorded in the waters of the Republic of China and that the Government of the Republic of China and the Government of the United States of America shall extend to each other the mutual courtesy of visits by their warships in accordance with international usage and comity.

It is mutually understood that questions which are not covered by the present treaty and exchange of notes and which may affect the sovereignty of the Republic of China shall be discussed by representatives of the two Governments and shall be decided in accordance with generally accepted principles of international law and with modern international practice.

With reference to Article IV of the treaty, the Government of the Republic of China hereby declares that the restriction on the right of alienation of existing rights or titles to real property referred to in that article will be applied by the Chinese authorities in an equitable manner and that if and when the Chinese Government declines to give assent to a proposed transfer the Chinese Government will, in a spirit of justice and with a view to precluding loss on the part of American nationals whose in-

terests are affected, undertake, if the American party in interest so desires, to take over the right or title in question and to pay adequate compensation therefor.

It is mutually understood that the orders, decrees, judgments, decisions and other acts of the United States Court for China and of the Consular Courts of the United States of America in China shall be considered as *res judicata* and shall, when necessary, be enforced by the Chinese authorities. It is further understood that any cases pending before the United States Court for China and the Consular Courts of the United States of America in China at the time of the coming into effect of this treaty shall, if the plaintiff or petitioner so desires, be remitted to the appropriate courts of the Government of the Republic of China which shall proceed as expeditiously as possible with their disposition and in so doing shall in so far as practicable apply the laws of the United States of America.

It is understood that these agreements and understandings if confirmed by Your Excellency's Government shall be considered as forming an integral part of the treaty signed today and shall be considered as effective upon the date of the entrance into force of that treaty.

I shall be much obliged if Your Excellency will confirm the foregoing.

I avail [etc.] WEI TAO-MING

XXII. Embassy Rank for Representation Between the United States and Seven American Republics

(Dept. of State Bulletin, March 27, 1943, Vol. VIII, No. 196)

The Governments of Costa Rica, the Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, and the United States announced on March 23 that arrangements have been made whereby the Legations maintained by the above-named American republics in the United States and the respective Legations of the United States in those countries will be elevated to the rank of Embassy. The change in status will become effective with respect to each diplomatic mission upon the presentation of the letters of credence of the first Ambassador to become chief of that mission.

As a result of the exchange of Ambassadors between the United States and the 7 other American republics named, all the diplomatic missions of the 20 other American republics in the United States, and all United States diplomatic missions to the other American republics, will hereafter be embassies. This, besides signifying the steady strengthening of the bonds of friendship, culture, and commerce among the American republics concerned, gives formal recognition to the democratic principle of juridical equality that governs the mutual relations of all the American republics.

XXIII. Transmission of Messages to or from Enemy Territory

(Dept. of State Bulletin, April 10, 1943, Vol. VIII, No. 198)

The transmission to or from enemy territory of private messages or of documents intended for private use is subject to the restrictions hereinafter indicated, which have been prescribed in consultation with the Secretary of the Treasury, the Director of Censorship, and the Alien Property Custodian, to whom the President has delegated certain of his powers and authority under the Trading with the Enemy Act to license acts, transactions, and communications prohibited by sections 3 (a) and 3 (c) of the act.

1. *Documents.*—The United States Government does not permit, by open mail, diplomatic channels, or otherwise, directly or indirectly, the transmission from the United States to enemy territory or from enemy territory to the United States of documents intended for private use, such as birth, marriage, or death certificates; divorce decrees; legal notices concerning estates, lawsuits, etc.; powers of attorney; affidavits; deeds to real property; miscellaneous legal documents concerning property or litigation; commissions to take testimony or other documents pertaining to depositions; subpoenas, citations, complaints, or other forms of legal process; or forms submitted in connection with claims for pensions, disability allowances, insurance benefits, etc.

2. *Messages.*—With the exceptions stated in paragraphs 3 and 4 below, the United States Government do not permit, by open mail, telephone, telegraph, diplomatic channels, or otherwise, directly or indirectly, the transmission from the United States to enemy territory or from enemy territory to the United States of private messages such as those pertaining to private property, business, estates, or the discharge of financial obligations. (The direct or indirect transfer of funds to enemy territory for the payment of charges arising in connection with private American property, real or personal, in enemy territory, such as taxes, rent, salaries of custodians, insurance premiums, repairs, and cost of packing or storage is likewise prohibited.)

3. *Communication through Red Cross facilities.*—Brief paraphrased messages of a personal nature, including welfare and whereabouts inquiries, may be transmitted by telegraph or, where possible, by mail to or from enemy territory through the facilities of the International Red Cross, the American Red Cross, and other national Red Cross societies or those of other organizations or societies licensed by the Director of Censorship. All such messages are subjected to censorship before being forwarded. They are restricted to subjects of a personal nature, such as the welfare and whereabouts of friends or relatives, and will not be transmitted if they contain references to business or financial matters. The facilities of the International Red Cross and other Red Cross societies are available to all persons regardless of nationality. For further information concerning the transmission

of messages through Red Cross facilities, application may be made to the nearest chapter of the American Red Cross.

4. *Communication through official channels.*—Only in exceptional circumstances will the Department of State undertake the transmission to enemy territory by official telegrams of messages of a personal nature. If satisfied that efforts have been made to communicate through Red Cross facilities and that such efforts have proved unsuccessful, the Department will accept for transmission to enemy territory by telegraph in behalf of nationals of the United States and at their expense brief messages restricted, like those transmitted through Red Cross facilities, to subjects of a personal nature. Before being forwarded, such messages will be paraphrased by the Department of State and subjected to censorship. Only in similar exceptional circumstances will the diplomatic and consular representatives of the Swiss Government protecting American interests in enemy territory transmit by official telegrams messages of a personal nature from enemy territory to the United States.

5. *Communication with prisoners of war and internees.*—The foregoing restrictions upon the transmission to or from enemy territory of private messages and documents intended for private use are not construed as modifying or limiting the provisions of title III, section IV, of the convention relating to the treatment of prisoners of war, signed at Geneva on July 27, 1929. Information concerning the procedure to be followed in communicating with prisoners of war or with civilian internees in enemy territory may be

obtained by addressing the Office of the Provost Marshal General, War Department, Washington, D. C.

6. *Enemy territory.*—The term *enemy territory* as used herein shall be understood to mean enemy territory as defined in General Ruling 11, issued on March 18, 1942 by the Treasury Department pursuant to Executive Order 8389, as amended. It includes Germany; Italy; Japan; Albania; Austria; that portion of Belgium within continental Europe; Bulgaria; that portion of Burma occupied by Japan; that portion of China occupied by Japan; Czechoslovakia; Danzig; that portion of Denmark within continental Europe; Estonia; that portion of France within continental Europe occupied by Germany or Italy; French Indochina; Greece; Hong Kong; Hungary; Latvia; Lithuania; Luxembourg; British Malaya; Monaco; that portion of the Netherlands within continental Europe; that portion of the Netherlands East Indies occupied by Japan; Norway; that portion of the Philippine Islands occupied by Japan; Poland; Rumania; San Marino; Thailand; that portion of the Union of Soviet Socialist Republics occupied by Germany; Yugoslavia; and any other territory controlled or occupied by Germany, Italy, or Japan.

The above information was issued by the Department of State under date of March 1, 1943.

XXIV. Japanese Trial and Execution of American Aviators

Statement by the President

(Dept. of State Bulletin, April 24, 1943, Vol. VIII, No. 200)

It is with a feeling of deepest horror, which I know will be shared by all civilized peoples, that I have to announce the barbarous execution by the Japanese Government of some of the members of this country's armed forces who fell into Japanese hands as an incident of warfare.

The press has just carried the details of the American bombing of Japan a year ago. The crews of two of the American bombers were captured by the Japanese. On October 19, 1942 this Government learned from Japanese radio broadcasts of the capture, trial, and severe punishment of those Americans. Continued endeavor was made to obtain confirmation of those reports from Tokyo. It was not until March 12, 1943 that the American Government received the communication given by the Japanese Government stating that these Americans had in fact been tried and that the death penalty had been pronounced against them. It was further stated that the death penalty was commuted for some but that the sentence of death had been applied to others.

This Government has vigorously condemned this act of barbarity in a formal communication sent to the Japanese Government. In that com-

munication this Government has informed the Japanese Government that the American Government will hold personally and officially responsible for these diabolical crimes all of those officers of the Japanese Government who have participated therein and will in due course bring those officers to justice.

This recourse by our enemies to frightfulness is barbarous. The effort of the Japanese warlords thus to intimidate us will utterly fail. It will make the American people more determined than ever to blot out the shameless militarism of Japan.

I have instructed the Department of State to make public the text of our communication to the Japanese Government.

United States Communication of April 12, 1943, to the Japanese Government

The Government of the United States has received the reply of the Japanese Government conveyed under date of February 17, 1943, to the Swiss Minister at Tokyo to the inquiry made by the Minister on behalf of the Government of the United States concerning the correctness of reports broadcast by Japanese radio stations that the Japanese authorities intended to try before military tribunals American prisoners of war, for military operations, and to impose upon them severe penalties including even the death penalty.

The Japanese Government states that it has tried the members of the crews of American planes who fell into Japanese hands after the raid on Japan on April 18 last, that they were sentenced to death and that, following commutation of the sentence for the larger number of them, the

sentence of death was applied to certain of the accused.

The Government of the United States has subsequently been informed of the refusal of the Japanese Government to treat the remaining American aviators as prisoners of war, to divulge their names, to state the sentences imposed upon them or to permit visits to them by the Swiss Minister as representative of the protecting Power for American interests.

The Japanese Government alleges that it has subjected the American aviators to this treatment because they intentionally bombed non-military installations and deliberately fired on civilians, and that the aviators admitted these acts.

The Government of the United States informs the Japanese Government that instructions to American armed forces have always ordered those forces to direct their attacks upon military objectives. The American forces participating in the attack on Japan had such instructions and it is known that they did not deviate therefrom. The Government of the United States brands as false the charge that American aviators intentionally have attacked non-combatants anywhere.

With regard to the allegation of the Japanese Government that the American aviators admitted the acts of which Japanese Government accuses them, there are numerous known instances in which Japanese official agencies have employed brutal and bestial methods in extorting alleged confessions from persons in their power. It is customary for those agencies to use statements obtained under torture, or alleged statements, in proceedings against the victims.

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If the admissions alleged by the Japanese Government to have been made by the American aviators were in fact made, they could only have been extorted fabrications.

Moreover, the Japanese Government entered into a solemn obligation by agreement with the Government of the United States to observe the terms of the Geneva Prisoners of War Convention. Article 1 of that Convention provides for treatment as prisoners of war of members of armies and of persons captured in the course of military operations at sea or in the air. Article 60 provides that upon the opening of a judicial proceeding directed against a prisoner of war, the representative of the protecting Power shall be given notice thereof at least three weeks prior to the trial and of the names and charges against the prisoners who are to be tried. Article 61 provides that no prisoner may be obliged to admit himself guilty of the act of which he is accused. Article 62 provides that the accused shall have the assistance of qualified counsel of his choice and that a representative of the protecting Power shall be permitted to attend the trial. Article 65 provides that sentence pronounced against the prisoners shall be communicated to the protecting Power immediately. Article 66 provides, in the event that the death penalty is pronounced, that the details as to the nature and circumstances of the offense shall be communicated to the protecting Power, for transmission to the Power in whose forces the prisoner served, and that the sentence shall not be executed before the expiration of a period of at least three months after such com-

munication. The Japanese Government has not complied with any of these provisions of the Convention in its treatment of the captured American aviators.

The Government of the United States calls again upon the Japanese Government to carry out its agreement to observe the provisions of the Convention by communicating to the Swiss Minister at Tokyo the charges and sentences imposed upon the American aviators, by permitting the Swiss representatives to visit those now held in prison, by restoring to those aviators the full rights to which they are entitled under the Prisoners of War Convention, and by informing the Minister of the names and disposition or place of burial of the bodies of any of the aviators against whom sentence of death has been carried out.

If, as would appear from its communication under reference, the Japanese Government has descended to such acts of barbarity and manifestations of depravity as to murder in cold blood uniformed members of the American armed forces made prisoners as an incident of warfare, the American Government will hold personally and officially responsible for those deliberate crimes all of those officers of the Japanese Government who have participated in their commitment and will in due course bring those officers to justice.

The American Government also solemnly warns the Japanese Government that for any other violations of its undertakings as regards American prisoners of war or for any other acts of criminal barbarity inflicted upon American prisoners in violation of the rules of warfare accepted and

practiced by civilized nations as military operations now in progress draw to their inexorable and inevitable conclusion, the American Government will visit upon the officers of the Japanese Government responsible for such uncivilized and inhumane acts the punishment they deserve.

XXV. Termination of Informal Relations With the French Antilles

(Dept. of State Bulletin, May 1, 1943, Vol. VIII, No. 201)

The text of a note delivered on instruction of the Secretary of State to Admiral Georges Robert, French High Commissioner, by Marcel E. Malige, American Consul General at Martinique, on April 26, 1943 follows:

"In November of last year, the Government of the United States informed the French High Commissioner that it was prepared to maintain its relations with the French territories in the Westen Hemisphere on an informal basis. It pointed out, however, that in view of the imminent full German occupation of France, it regarded any regime which the Germans might permit to function in Metropolitan France as being under the complete domination of Hitler. This view was later confirmed by the completion of the German occupation of all French metropolitan territory and the final extinguishment of French authority in France. The Government of the United States also made it abundantly clear, in November and subsequently, that the new and changing situation would require a current reexamination with the French High Commissioner of problems of mutual interest and concern.

"Almost six months have passed and today the French islands in the Caribbean are the only French territories physically free from Axis domination which have no part in the struggle for French liberation and which profess allegiance to a regime under the direct control of Germany.

"It is a matter of common knowledge that the territory of Metropolitan France, contrary to the wish of the French people, is being used in an ever-increasing degree for active military operations against the United States and that the Vichy regime is now an integral part of the Nazi System.

The Government of the United States does not recognize Vichy nor will it recognize or negotiate with any French representative in the Antilles who remains subservient to or maintains contact with the Vichy regime.

"In the circumstances the Government of the United States does not consider effective or binding any informal understanding with respect to the French Antilles based upon past discussions and conditions, nor does it consider that those discussions can serve as a basis for either present or future relations with the French Antilles.

"For this reason the American Consul General at Fort-de-France is being instructed to return to the United States, leaving the Consulate in charge of a Consular Officer whose activities will be restricted to the protection of American interests and who will not be authorized to enter into or conduct any negotiations of a political character."

XXVI. American Nationals in Japanese Custody

(Dept. of State Bulletin, May 29, 1943, Vol. VIII, No. 205)

Relatives and friends of Americans held as prisoners of war by the Japanese military authorities have inquired of various agencies of the Government concerning the prospects for their early repatriation, suggesting in most cases that Japanese prisoners of war be offered in exchange for the Americans.

There are three distinct categories of American nationals in Japanese custody, namely:

(1) Prisoners of war, that is, members of the American armed forces who have been captured by the Japanese armed forces,

(2) Sanitary and religious personnel captured while serving with the armed forces, and

(3) Civilians in Japan or Japanese-occupied or controlled territory, the majority of whom have been interned.

There is no customarily accepted practice among nations nor provision of international law or conventions for the return or exchange during war of able-bodied members of the armed forces of one belligerent captured by the forces of the opposing belligerents. It is a major objective of warfare to deplete as rapidly as possible the forces of the enemy, and it has so far been deemed inexpedient for military reasons to propose the release and return of able-bodied prisoners of war. In the circumstances, there is no immediate

prospect of obtaining the release and return to the United States of able-bodied members of the American armed forces taken prisoners of war by the Japanese.

The only prisoners of war whose release and return to their own country is provided for and sanctioned by international agreement and practice are the seriously sick and seriously wounded who are no longer capable of contributing to the enemy war effort. The release and return of such prisoners is provided for in the Geneva Prisoners of War Convention of 1929, which both Japan and the United States are applying in this war. Steps are already under way for implementing the relevant provisions of that convention. Military operations and the difficulties of transportation through military zones are the principal obstacles at present in the way of such a movement.

Negotiations are also under way for the release and return of such captured sanitary and religious personnel as may not be needed to care for their compatriots who are prisoners of war.

Every endeavor is being made to obtain the release as quickly as possible of those eligible therefor, and all feasible steps are being taken to provide for the well-being of all our nationals of whatever category in enemy hands until such time as they can be offered an opportunity to return to their homes in the United States.

XXVII. Use of Poison Gas

(Dept. of State Bulletin, June 12, 1943, Vol. VIII, No. 207)

Statement by the President

From time to time since the present war began there have been reports that one or more of the Axis powers were seriously contemplating use of poisonous or noxious gases or other inhumane devices of warfare.

I have been loath to believe that any nation, even our present enemies, could or would be willing to loose upon mankind such terrible and inhumane weapons. However, evidence that the Axis powers are making significant preparations indicative of such an intention is being reported with increasing frequency from a variety of sources.

Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them, and I hope that we never will be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies.

As President of the United States and as Commander in Chief of the American armed forces, I want to make clear beyond all doubt to any of our enemies contemplating a resort to such desperate and barbarous methods that acts of this nature committed against any one of the United Nations will be regarded as having been committed against

the United States itself and will be treated accordingly. We promise to any perpetrators of such crimes full and swift retaliation in kind, and I feel obliged now to warn the Axis armies and the Axis peoples, in Europe and in Asia, that the terrible consequences of any use of these inhumane methods on their part will be brought down swiftly and surely upon their own heads. Any use of gas by any Axis power, therefore, will immediately be followed by the fullest possible retaliation upon munition centers, seaports, and other military objectives throughout the whole extent of the territory of such Axis country.

XXVIII. United Nations Conference on Food and Agriculture

(Dept. of State Bulletin, June 19, 1943, Vol. VIII, No. 208)

Text of the Final Act

The Governments of Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia; the French Representatives; the Governments of Great Britain, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Iraq, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippine Commonwealth, Poland, Union of South Africa, Union of Soviet Socialist Republics, United States of America, Uruguay, Venezuela, and Yugoslavia;

Having accepted the invitation extended to them by the Government of the United States of America to be represented at a United Nations Conference on Food and Agriculture;

Appointed their respective delegates,

The final Plenary Session was held on June 3, 1943. As a result of the deliberations, as recorded in the minutes and reports of the respective Committees and Sections and of the Plenary Sessions, the United Nations Conference on Food and Agriculture approved the following declaration, resolutions, and recommendations.

I. DECLARATION

This Conference, meeting in the midst of the greatest war ever waged, and in full confidence of victory, has considered the world problems of food and agriculture and declares its belief that the goal of freedom from want of food, suitable and adequate for the health and strength of all peoples, can be achieved.

1. The first task is to complete the winning of the war and to deliver millions of people from tyranny and from hunger. During the period of critical shortage in the aftermath of war, freedom from hunger can be achieved only by urgent and concerted efforts to economize consumption, to increase supplies and distribute them to the best advantage.

2. Thereafter we must equally concert our efforts to win and maintain freedom from fear and freedom from want. The one cannot be achieved without the other.

3. There has never been enough food for the health of all people. This is justified neither by ignorance nor by the harshness of nature. Production of food must be greatly expanded; we now have knowledge of the means by which this can be done. It requires imagination and firm will on the part of each government and people to make use of that knowledge.

4. The first cause of hunger and malnutrition is poverty. It is useless to produce more food unless men and nations provide the markets to absorb it. There must be an expansion of the whole world economy to provide the purchasing power sufficient to maintain an adequate diet for

all. With full employment in all countries, enlarged industrial production, the absence of exploitation, an increasing flow of trade within and between countries, an orderly management of domestic and international investment and currencies, and sustained internal and international economic equilibrium, the food which is produced can be made available to all people.

5. The primary responsibility lies with each nation for seeing that its own people have the food needed for life and health; steps to this end are for national determination. But each nation can fully achieve its goal only if all work together.

6. We recommend to our respective governments and authorities the study and adoption of the findings and recommendations of this Conference and urge the early concerted discussion of the related problems falling outside the scope of this Conference.

7. The first steps toward freedom from want of food must not await the final solution of all other problems. Each advance made in one field will strengthen and quicken advance in all others. Work already begun must be continued. Once the war has been won decisive steps can be taken. We must make ready now.

II. INTERIM AND PERMANENT COMMISSIONS FOR CARRYING OUT THE RECOMMENDATIONS OF THE UNITED NATIONS CONFERENCE ON FOOD AND AGRICULTURE

WHEREAS:

1. Freedom from want is difficult to achieve without concerted action among all like-minded

nations to expand and improve production, to increase employment, to raise levels of consumption, and to establish greater freedom in international commerce;

2. The successful carrying out of the recommendations of the Conference in the field of production, distribution, and consumption of food and other agricultural products in the post-war period will be the most important prerequisite for the achievement of freedom from want, and requires the creation by the governments and authorities here represented of a permanent organization in the field of food and agriculture; therefore

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented recognize and embody in a formal declaration or agreement the obligation to their respective peoples and to one another, henceforth to collaborate in raising levels of nutrition and standards of living of their peoples, and to report to one another on the progress achieved;

2. That the governments and authorities here represented establish a permanent organization in the field of food and agriculture; and

RESOLVES:

1. That in order that every practicable step may be taken to attain these and the other appropriate objectives set forth in the declaration and specific recommendations of the Conference, an Interim

Commission for carrying out the recommendations of the United Nations Conference on Food and Agriculture be established;

2. That each of the governments and authorities here represented be entitled to designate a representative on the Interim Commission, and that the Interim Commission be installed in Washington not later than July 15, 1943;

3. That the Interim Commission perform its work with due regard to the exigencies of the war, through such form of organization and personnel as it may deem appropriate; and formulate regulations covering its expenditures and submit to the member governments and authorities a budget and allocation of quota contributions;

4. That the functions of the Interim Commission be to formulate and recommend for consideration by each member government or authority:

(*a*) A specific plan for a permanent organization in the field of food and agriculture;

(*b*) The formal declaration or agreement referred to in the first recommendation, in which each participant shall recognize its obligation:

(I) To raise the levels of nutrition and standards of living of its own people;

(II) To improve the efficiency of agricultural production and distribution;

(III) To cooperate, so far as may be possible, with other nations for the achievement of these ends;

(IV) To undertake to submit periodically to the other participants, through the permanent organization, reports on the action taken and the progress achieved toward these ends;

(*c*) Such proposals or reports as are necessary to give effect to the recommendations of the Conference;

5. That in the preparation of a plan for the permanent organization the Interim Commission give full consideration to the following:

(*a*) The relation of the permanent organization to, and methods of associating it with, other institutions, national as well as international, which already exist or which may hereafter be established, in the field of food and agriculture and in related scientific, economic, and other fields;

(*b*) Provision for membership in the permanent organization, in due course, of governments not represented on the Interim Commission;

6. That in considering the functions and duties to be assigned to the permanent organization the Interim Commission take into account:

(*a*) The promotion of scientific, technological, social, and economic research;

(*b*) The collection and dissemination of information and provision for the exchange of services;

(*c*) The submission to member governments and authorities of recommendations for action with regard to the following:

(I) Nutrition;

(II) Standards of consumption of food and other agricultural products;

(III) Agricultural production, distribution, and conservation;

(IV) Statistics and economic studies in the field of agriculture and food, including the study of the relation of agriculture to world economy;

(v) Education and extension work in the field of food and agriculture;

(vi) Agricultural credit;

(vii) Problems of agricultural population and farm labor;

7. That the Interim Commission further consider the desirability of assigning to the permanent organization functions in the field of:

(*a*) Development of agricultural resources and orientation of production, where necessary;

(*b*) Agricultural commodity arrangements;

(*c*) Agricultural cooperative movements;

(*d*) Land tenure;

(*e*) Other subjects on which recommendations have been made by the Conference;

8. That the Interim Commission also consider the initiation of preliminary statistical investigatons and research into the problems with which the permanent organization will deal;

9. That the Interim Commission be deemed to have been dissolved when the permanent organization has been established;

10. That the Government of the United States of America be invited to take whatever preliminary action may be necessary for the establishment of the Interim Commission after the United Nations Conference on Food and Agriculture has completed its work.

III. IMPROVEMENT OF NATIONAL DIETS

The United Nations Conference on Food and Agriculture

Having reviewed the information submitted by the several delegations on consumption deficien-

cies and the relation of food to health throughout the world and being deeply impressed by the dominate role played by adequate food in the reduction of sickness and death rates and the maintenance of health,

DECLARES:

1. That the first essential of a decent standard of living is the provision to all men of those primary necessities which are required to promote freedom from disease, and for the attainment of good health;

2. That the most fundamental of these necessities is adequate food which should be placed within the reach of all men in all lands within the shortest possible time;

3. That ample evidence has been presented revealing the existence of malnutrition in every country, with its inevitable consequences of preventable ill health; and

RECOMMENDS:

1. That the governments and authorities here represented:

(*a*) Immediately undertake the task of increasing the food resources and improving the diets of their people in accordance with the principles and objectives outlined in the findings of the Conference, and declare to their respective peoples and to other governments and authorities here represented their intention of so doing;

(*b*) Undertake periodically to report to one another through the permanent organization recommended in Resolution II on the state of

their national nutrition and on the steps being taken for its improvement.

IV. DIETS OF VULNERABLE GROUPS

WHEREAS:

1. There are special needs of vulnerable groups, such as pregnant and nursing women, infants, pre-school and school children, adolescents, workers, and individuals receiving low incomes;

2. Families with numerous children in low-income groups are particularly vulnerable;

3. Social, economic, and health measures of various kinds are or should be provided for these groups;

4. Wide experience has shown that direct measures to supplement inadequate diets have been economical and fruitful;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

That the several governments and authorities here represented undertake positive measures for the improvement of the diets of the vulnerable groups enumerated above.

V. MALNUTRITION AND DISEASE

WHEREAS:

1. Malnutrition is responsible for widespread impairment of human efficiency and for an enormous amount of ill health and disease, reduces the resistance of the body to tuberculosis, and enhances the general incidence and severity of familiar diseases;

2. Mortality rates in infants, children, and mothers are higher in ill-fed than in well-fed populations;

3. Food consumption at a level merely sufficient to prevent malnutrition is not enough to promote health and well-being;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented:

(*a*) Initiate or continue the study of the relationship between malnutrition and impaired bodily health and vigor; and, in particular, investigate the role of inadequate food consumption in the causation of, and mortality from, all those diseases which constitute their most serious health problems;

(*b*) Direct their attention to the study of health and well-being and of the nutritional and related factors which are necessary to secure and maintain them;

(*c*) Consider the most effective means of disseminating knowledge of correct feeding among all sections of the population.

VI. DEFICIENCY DISEASES

WHEREAS:

1. The progressive improvement of diets will result in better health and eventually in the elimination of specific deficiency diseases, and a great deal of unnecessary suffering could be avoided if

an immediate and concerted attack were made upon them;

2. Progress in our knowledge of nutrition makes it possible to seek out, treat successfully, and prevent the recurrence of the common diseases resulting from specific deficiencies in the diet;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the several governments and authorities here represented undertake immediately:

(*a*) To ascertain the prevalence of specific deficiency diseases among their respective peoples;

(*b*) To deal with them by suitable dietary and therapeutic measures;

(*c*) To take appropriate steps to prevent their recurrence.

VII. NATIONAL NUTRITION ORGANIZATION

WHEREAS:

1. A sound food and nutrition policy must be adopted by each government if national diets are to be progressively improved, specific deficiency diseases eliminated, and good health achieved;

2. Such a policy requires the guidance of a central authority with special competence and responsibility to interpret the science of nutrition in the light of national conditions and to propose to the appropriate authorities practical means for extending its benefits to all sections of society;

RECOMMENDS:

1. That the governments and authorities here represented:

(*a*) Undertake to establish national nutrition organizations, if such do not now exist, entrusted with the responsibility of ascertaining food-consumption habits and the nutritional status of different sections of the population; such organizations to be composed of authorities in health, nutrition, economics, and agriculture, together with administrators and consumers' representatives, etc.; to be provided with adequate funds and facilities for the efficient conduct of their work; and to have the authority to bring their recommendations to the attention of the public and to those agencies of government which deal with agriculture and the framing of economic and social policy;

(*b*) Re-examine and, if necessary, reorganize existing agencies and review legislation concerned with health, agriculture, and nutrition to the end that food and nutrition policies may be efficiently carried out.

VIII. EXCHANGE OF INFORMATION AND EXPERIENCE

WHEREAS:

1. Experience has shown that national nutrition organizations receive considerable benefit from periodic exchanges of views and information on methods employed, obstacles encountered, and progress achieved;

2. Governments participating in a common undertaking will wish to collaborate so that levels of food consumption may become more equitable not only among the different sections of the population in a given country but among the several nations of the world as well;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the several national nutrition organizations exchange information and experience and provide mutual assistance, both directly, when desirable, and through the permanent organization recommended in Resolution II, to which they should submit periodic reports on the results of their investigations into national dietary habits and nutritional status, and on the progress achieved in raising the level of food consumption throughout the population;

2. That representatives of the several national nutrition organizations meet regularly under the auspices of the permanent organization to exchange views and to make proposals for any national and international action necessary to facilitate the progress of their work.

IX. DIETARY STANDARDS

WHEREAS:

1. It is essential that there be some measure of the extent to which food supplies should be increased, and of the character and extent of the dietary improvements which need to be carried out;

2. This measure is best provided by dietary standards or allowances based upon scientific evidence;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

That the governments and authorities here represented adopt as the ultimate goal of their food and nutrition policy, dietary standards or allowances based upon scientific assessment of the amount and quality of food, in terms of nutrients, which promote health, and distinguish clearly between these standards and the more immediate consumption goals which necessarily must be based upon the practical possibilities of improving the food supply of their populations.

X. COOPERATION OF EXISTING AGENCIES

WHEREAS:

1. National nutrition organizations were established in many countries before the present war and various national and international health and nutrition agencies had achieved considerable progress in the study and improvement of diets and food-consumption levels in different countries and regions;

2. If no time is to be lost in moving toward the goals set out by the Conference, it is essential to make full use of the information and experience acquired by these agencies;

RECOMMENDS:

That in the establishment of the permanent organization recommended in Resolution II, in any projected regional branches of that organization, and in any national nutrition organizations, due account should be taken of the work and experience of existing international regional or national agencies concerned with food, health, and nutrition; and in any such plans, the possibility of enlisting the cooperation of such agencies should be fully explored.

XI. NON-FOOD PRODUCTS

WHEREAS:

1. Many of the non-food agricultural and marine products are constituent parts of the means to human health and welfare to an extent which merits consideration for them on a plane with food;

2. It is of great importance to consuming countries that there should be a regular and adequate supply of these commodities, and to producing countries that they should be enabled to orient their agricultural enterprises to world demand;

3. The Conference has not found it possible to reach conclusions as to the effective capacity of the world to consume specific products in future years;

4. In many countries and regions which are not well adapted to the production of food, the pro-

duction of other essential agricultural and marine products and their disposal on domestic and foreign markets provide a major source of income, and the income so derived determines to a large extent the abilities of these countries and regions to secure adequate quantities of the right kinds of food;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the permanent organization recommended in Resolution II:

(*a*) Investigate the possibility of the development by the nations of the world of national standards of minimum consumption of certain non-food agricultural and marine products, taking into account the varying climatic and other relevant conditions of the different countries;

(*b*) Arrange at an early date for comprehensive studies of the probable future capacity of the world to consume specific agricultural and marine products in this group, taking into account in this connection the probable effect of synthetic and other substitute products;

(*c*) Give special study to the development of means by which regions which are not well adapted to the production of food may share in a world-wide improvement of nutrition in keeping with the purpose of the Conference.

XII. CHANGES IN PRODUCTION IN THE SHORT-TERM PERIOD

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That, as a first step in overcoming the general shortage of food, every effort should be made by countries whose agriculture can be expanded in the short-term period, so long as this is required and so far as the conditions of individual countries require or permit, to increase the acreage under crops for direct human consumption and even to hold back the rebuilding of depleted livestock herds—essential though this rebuilding will ultimately be—as well as the production of other crops which compete for acreage with essential foods;

2. That countries whose agriculture has been impaired should, in the immediate post-war period, utilize to the full their agricultural resources to bring about a rapid increase in food production, even if this involves a departure from the use of the resources which in the long run will be required, and even if it delays a return to production policies which are desirable for technical, economic, or nutritional reasons (for instance, in Europe there may need to be a concentration in the first years on vegetables, bread grains, and other products where production can mature quickly and which yield more calories per acre than livestock);

3. That, pursuant to the above purpose, countries which have been producing more than normal

output because of freedom from enemy action should:

(*a*) In the short run maintain such production;

(*b*) Whenever possible, increase production further, provided transport and the means of production, etc., are available, to assist in meeting abnormal demands.

4. That, taking into consideration that the degree of shortage of foodstuffs which will develop after the war will depend upon the course of the war and on the harvests, it will be necessary during the period from the present until the termination of the war for each of the nations which has escaped enemy invasion to continue to stress the necessity of production of those products which are required by other nations during the war, and at the same time to produce sufficient quantities of products for home consumption, subject to the requirements of the war effort;

5. That every effort should be made now and immediately after the war by countries in a position to do so, to expand the production of farm machinery and implements, fertilizers, and other materials, including improved seeds, vital to the expansion of food production, and to cooperate in making these materials available to the agricultural producing countries, so far as the exigencies of the war permit.

XIII. COORDINATION IN THE SHORT-TERM PERIOD

WHEREAS:

1. It is the consensus of the Conference that, despite all efforts to increase production, supplies of essential foodstuffs and certain other agricul-

tural and marine products and of the necessary instruments of production, such as fertilizers and machinery, and the means of international transportation will all be inadequate to meet basic requirements in the transition period, which may extend for several years after the cessation of hostilities;

2. It is essential for the preservation of life to secure, through equitable distribution, the maximum advantage from such supplies as may be made available;

3. It is in the interest of producers and consumers alike to avoid social and economic ills due to monopolistic practices or to violent fluctuations arising from unrestrained competition for inadequate supplies, in the prices of food, the instruments of production, and other necessities, including industrial goods;

4. It is in the common interest of all that agricultural production be soundly reestablished and expanded with all possible speed in countries now temporarily occupied by the enemy as soon as they have been liberated;

5. These objectives can be achieved only by the concerted action of governments in the stimulation of production and in the allocation of supplies;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented, for so long after the war as shortages

continue, affirm the principle of mutual responsibility and coordinated action for:

(*a*) The increased production of necessary foodstuffs and other essential agricultural and marine products by all possible means, subject only to the exigencies of war, in each country where such expansion can be accomplished economically, either now or in the future;

(*b*) The transportation, distribution, and utilization of such products;

(*c*) The prevention of speculative and violent fluctuations in the prices of food, the instruments of production, and other necessities, including industrial goods, under the conditions of scarcity that appear certain to prevail after the war;

(*d*) The post-war readjustment of agriculture to achieve a progressive and balanced expansion of production and consumption throughout the world;

2. That these governments and authorities take, individually and in concert, whether by conference or otherwise, all necessary measures, both domestic and international, to secure the application of this principle and the achievement of these objectives.

XIV. ADJUSTMENT OF PRODUCTION IN THE TRANSITION FROM THE SHORT-TERM TO THE LONG-TERM PERIOD

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That countries whose agriculture has been impaired should progressively modify their short-

term allocation of resources to conform more closely to the long-term plan aimed at better nutrition and greater efficiency in production (for instance, in certain parts of Europe this might mean increasing the production of milk products as herds can be reestablished, accompanied by declining production of grains);

2. That countries which will have been producing during the short-term period more than normal output because of freedom from enemy action in the war or which have undertaken new lines of production, should progressively adjust the allocation of agricultural resources to conform to a long-term coordinated production plan for the best use of these resources on a world scale, based on better diets for their own people and on the international demand for nutritionally better food.

XV. LONG-TERM PRODUCTION POLICY

WHEREAS:

1. It is recognized that a secure, adequate and suitable supply of food should be a cardinal aim in every country;

2. It is recognized that this can be achieved only as part of a world-wide policy of industrial and agricultural expansion;

3. It is recognized that in order to secure this result producers should receive a fair return for their products;

4. In order to attain the highest nutritional standards, a progressive expansion and, where necessary, reorientation in agriculture will be required;

5. It is desirable to formulate a body of principles which are applicable to agricultural policy in appropriate form in all countries;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. (*a*) That the inherent natural and economic advantages of any area should determine the farming systems adopted and the commodities produced in that area;

(*b*) That farming systems should be so designed as:

(I) To maintain soil fertility at levels which will sustain yields and ensure adequate return for labor;

(II) To protect crops and livestock from major pests and diseases;

(III) To favor steady employment throughout the year;

(These three ends, in general and save in exceptional circumstances, can best be assured by balanced mixed rotational farming and by avoidance of single-crop production, or monoculture);

(*c*) That production of nutritionally desirable foods which can be obtained from elsewhere only with difficulty or not at all is a special obligation of the agriculture of every country;

(*d*) In every region subject to drought (occasional or in the form of sharply marked periodic dry seasons) suitable measures should be undertaken, partly by storage and partly by diversification of production and development of water resources and cultural practices;

(*e*) Land used or likely to be required for agriculture should be protected from erosion;

(*f*) The spread of existing knowledge by education and the development of new knowledge by research should be constantly promoted, and that in these matters nations can cooperate to great advantage;

2. That, subject to these principles and with the object of expanding production of the foods needed for its people, each nation should undertake to direct its policies toward:

(*a*) Increasing the efficiency of production in present producing areas through the introduction, as rapidly as conditions permit, of better farming methods, suitable modern equipment, improved varieties of crops and strains of livestock, and soil conservation practices;

(*b*) Developing any suitable undeveloped areas, where this is economically feasible, through the use of such measures as clearing the land and large-scale drainage and irrigation projects;

(*c*) Fostering desirable changes in the pattern of production, designed to give greater emphasis to foods rich in vitamins, minerals, and proteins:

(I) By encouraging the production, particularly in areas near consumption centers, of such products as vegetables, fruits, milk, eggs, and meat, which are relatively perishable and high in value and which are also the foods required in greatly increased quantities for better nutrition;

(II) By encouraging the expansion of livestock production in areas capable of growing or economically shipping in the necessary feedstuffs;

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(III) By limiting the production of bulky, easily stored and transported energy foods, in areas where they cannot be produced efficiently;

(IV) By encouraging the production in single-crop areas of a greater diversity of foods for home use, since these areas are, in general, distant from the sources of perishable products and are particularly in need of improved diets;

(V) By likewise encouraging more diversified and adequate home food production in all farming areas, so that rural people may have more and better food, while eliminating the margin between producer and consumer;

3. That, to implement these aims, having regard to its individual circumstances, each country should adopt the following measures:

(*a*) The framing of policies designed to encourage production within the country of commodities that need to be produced there in greater amounts and limit production of those that should not be produced within the country or should be produced in smaller amounts;

(*b*) The supplying of low-cost credit or other aids that would help producers to acquire necessary materials, equipment, and machinery for more efficient production and better use of the land;

(*c*) The furnishing of technical assistance to producers where this is needed;

(*d*) The development of a program of education to help producers understand better farming methods and put them into practice;

(*e*) The development of a program of research designed to meet the continuing problems of agriculture within the country;

4. (*a*) That each nation consider the possibility:

(I) Of drawing up periodic reports on steps taken to implement the recommendations set out above, with particular reference to production, exports, imports, and consumption of food and other agricultural and marine products. These reports should, where practicable, be on a statistical basis;

(II) Of submitting these reports to the permanent organization recommended in Resolution II;

(*b*) That, with a view to balancing production and consumption, the permanent organization consider to what extent and by what means such reports might contribute to international collaboration both on a regional and on a world basis in the field of agricultural production.

XVI. AGRICULTURAL CREDIT

WHEREAS:

1. Capital development and adequate credit facilities are necessary if agricultural production is to be restored, increased, and intensified;

2. Agricultural credit in some countries has frequently been obtainable only at rates which the farmer could not afford to pay;

3. The agricultural communities in many countries have been unable to obtain information on the organization and development of agricultural credit systems in other countries;

4. In some countries full agricultural development has been or may be obstructed by difficulties in providing adequate capital;

RECOMMENDS:

1. That every endeavor be made to ensure an adequate supply of credit to agriculture;

2. That to this end full use be made of all types of suitable private, cooperative, and public credit institutions;

3. That the rate of interest be as low as possible and the conditions regarding initial cost, redemption, etc., be as favorable as possible for the borrowers, particularly with a view to helping the small farmer;

4. That, in view of the importance of agricultural credit, its requirements be duly recognized by international action taken as a result of this Conference.

XVII. COOPERATIVE MOVEMENTS

WHEREAS:

1. The cooperative movement has been of very great importance in many countries, both to urban and rural populations, especially in agricultural districts where farming is based on small units and in urban areas of low-income families;

2. The proper functioning of cooperative societies may facilitate adjustments of agricultural production and distribution, as members have confidence in the recommendations and guidance of their own cooperative organizations, which they know operate in the interest of their members and of society in general;

3. The democratic control and educational programs, which are features of the cooperative movement, can play a vital part in the training of good democratic citizens, and assist in inducing a sound conception of economic matters;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That, in order to make it possible for people to help themselves in lowering costs of production and costs of distribution and marketing:

(*a*) All countries study the possibilities of the further establishment of producer and consumer cooperative societies in order to render necessary production, marketing, purchasing, finance, and other services;

(*b*) Each nation examines its laws, regulations, and institutions to determine if legal or institutional obstacles to cooperative development exist, in order to make desirable adjustments;

(*c*) Full information as to the present development of cooperatives in different countries be made available through the permanent organization recommended in Resolution II.

XVIII. LAND TENURE AND FARM LABOR

WHEREAS:

Agricultural productivity and efficiency and the well-being of the tiller of the soil depend largely upon the system of land tenure and conditions of farm labor;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That each nation make a careful survey of existing systems of land tenure and the other conditions of agriculture within its boundaries to ascertain whether changes in these systems and conditions are necessary or desirable to promote the productivity and efficiency of agriculture and the welfare of its workers and that special attention be given to the position of the agricultural worker as compared with that of the worker in other industries;

2. That the permanent organization recommended in Resolution II give every assistance in this study.

XIX. EDUCATION AND RESEARCH

WHEREAS:

1. Through the inadequacy of agricultural education, existing knowledge is being very imperfectly applied to agricultural production;

2. Man's increasing demands upon the soil can be met only by the increase of knowledge;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That each nation adopt, and carry out as rapidly as conditions may permit, a policy for:

(*a*) Strengthening and expanding the educational system of its rural areas;

(*b*) Training scientific workers and rural leaders for service in agriculture;

(*c*) Establishing or developing systems of rural adult education (extension systems) designed to promote technical efficiency among producers, to develop understanding of rural problems, and to enrich rural life;

2. That each nation adopt a policy of promoting research in all the branches of science, including economics, which relate to food and agriculture, and to this end cooperate actively with other nations by the exchange of knowledge, materials, and personnel; and that, in particular, each nation agree:

(*a*) To promote research in the natural sciences and their application to problems of food and agriculture;

(*b*) To develop economic and sociological investigation of rural problems;

(*c*) To collaborate with other nations in the collecting and assembling of factual information and statistics of food and agriculture throughout the world;

3. That, as a necessary step in securing effective action in these directions, the permanent organization recommended in Resolution II be charged with the functions:

(*a*) Of providing advice, and technical and other assistance, to governments desiring this in connection with the establishment or improvement of agricultural research and education;

(*b*) Of facilitating international help and exchange in the supply of information, services, materials, and personnel;

(*c*) Of assisting in the planning and conduct of any research programs upon which international collaboration has been agreed or desired;

(*d*) Of acting as a central agency for assembling, analyzing, and disseminating factual data on world agriculture;

(*e*) Of assisting in a comprehensive abstracting service covering the whole range of agricultural research;

(*f*) Of assisting scientific societies in the arrangement of international meetings.

XX. CONSERVING LAND AND WATER RESOURCES

WHEREAS:

1. Soil erosion has in the past destroyed or severely limited the utility of vast areas of land and will in the future, unless checked, constitute the greatest physical danger to the world's food production;

2. Failure to conserve and control water supplies and to use them efficiently has, in many areas, precluded important potential increase in food production;

3. To meet the food needs of the growing world population and to ensure high nutritional standards, all land in agricultural use or suitable for being brought into agricultural use should be adequately protected from erosion and from any other serious damage by various measures, including structural work and the insurance of satisfactory agricultural systems and husbandry practices;

4. The conserving of land and water resources should be regarded as an obligation of governments as well as individuals;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That each nation undertake:

(*a*) To survey its land and water resources with the object of ascertaining:

(I) The extent and causes of soil erosion and water losses;

(II) The soil and moisture conservation requirements of the areas covered and the types of conservation measures most needed;

(*b*) To develop soil and water conservation programs based on the findings of such surveys;

(*c*) To assist farmers in conserving and rebuilding the fertility of the soil;

2. That the necessary implementation of these policies be effected through appropriate economic and other measures such as:

(*a*) Assisting individual producers in planning and carrying out crop rotations, crop sequences, and other suitable practices;

(*b*) Protection of forest and afforestation of unprotected watersheds where necessary, including measures for the protection of food-producing wild life, to prevent flood damage and to conserve water needed for direct human consumption and for irrigation;

(*c*) Building, or assisting in building, dams, terraces, and other structures to minimize the loss of soil fertility through erosion caused by wind or water;

(*d*) Making readily available to individual producers soil amendments, particularly phosphates and lime, that will make possible expanded pro-

duction of leguminous and other soil-building crops;

(*e*) Development and employment of farming systems and husbandry practices which ensure soil conservation;

(*f*) Developing a program of research designed to determine the best methods and practices for bringing about conservation of land and water resources under various conditions;

(*g*) Developing a program of education to inform the public generally of the importance and need of conservation and to help producers to understand and put into practice better farming methods;

3. That the permanent organization recommended in Resolution II provide assistance by such means as:

(*a*) Formulation of a body of principles for the conduct of soil-conservation work;

(*b*) Collection and interchange between nations of data and information on erosion, erosion-control methods, and other pertinent mattrs;

(*c*) Interchange between nations of personnel technically trained in the development of conservation research and in the application of its findings.

XXI. DEVELOPMENT AND SETTLEMENT OF LAND FOR FOOD PRODUCTION

WHEREAS:

1. If freedom from want is to be achieved throughout the world by full development of food-producing resources, conservation of existing lands and the development of new areas must be given primary consideration:

2. There are large areas of land capable of materially adding to the world's food supply which can be opened to food production if transportation facilities were made available and insanitary conditions and other deterrents corrected;

3. There are many areas of great extent not now producing or in a low state of production because of lack of water-conserving and storing facilities for irrigation, lack of drainage, frequent flooding by rivers, wastage by erosion, deficiencies of plant food, accumulation of alkali, or improper development;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That each nation undertake:

(*a*) To survey its land and water resources to determine (1) in what areas, if opened to settlement, production of food could materially be increased; (2) what areas, if supplied with additional production facilities, such as water supply for irrigation, improved drainage, or by the correction of deterrents to production, could materially increase their production of food; (3) the kind, extent, and economic possibility of developments necessary for this increase in food production;

(*b*) To develop on the basis of these findings policies of settlement and development of a program applicable to the economic, social, agricultural, and geographical needs of the nation of which it is a part, considering:

(I) Physical conditions including (1) soils and climate, (2) health conditions, (3) transportation, and (4) clearing, irrigation, or drainage needs;

(II) Settlement policies, including (1) the type of farming systems to be established, (2) the scale of working by plantations, small holdings, or cooperative organization of areas for production, (3) measures to prevent speculation and exploitation, and (4) financial and other assistance;

(III) Conservation measures for sustained production of the area, including (1) agronomic and management practices, (2) conservation structures and practices, (3) protection against alkali accumulations, and (4) measures of forest conservation and reforestation;

2. That the necessary implementation of these policies and programs be given through appropriate measures applicable to conditions and needs of each region or area, including:

(*a*) A comprehensive engineering service providing for developments affecting the entire area, such as transportation, improvement of sanitary conditions, water-storage reservoirs, drainage channels, and flood protection;

(*b*) Development of a program of sound land use, including conservation measures;

(*c*) Provision for technical assistance to individual producers in planning and developing the areas under their supervision.

(*d*) Provision for financial assistance to settlers for further development and operation;

(*e*) Provisions for marketing produce, including necessary processing and preservation;

3. That the permanent organization recommended in Resolution II provide assistance by such means as:

(*a*) The interchange between nations of pertinent data and information on erosion and methods of control, land improvements, etc.;

(*b*) The interchange between nations of technically trained personnel to assist in the development of conservation research, etc.

POPULATIONS

XXII. OCCUPATIONAL ADJUSTMENTS IN RURAL

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That, in order to effect the necessary occupational adjustments in agricultural populations:

(*a*) Agricultural efficiency should be improved and new lands brought under cultivation wherever possible;

(*b*) Areas which have a large agricultural population in relation to their agricultural resources should:

(I) Develop industries suitable to the area, particularly for the processing and preserving of the agricultural produce of the country, and, where feasible, for the manufacture of machinery, fertilizer, and equipment needed for agriculture;

(II) Be encouraged, wherever it is economically sound, to export processed articles instead of the raw product, and in particular to take advantage of any reductions of trade barriers in the importing countries;

(III) Be assisted in securing capital for the development of industrial and transportation facilities and for the development of export outlets for processed products;

(IV) Be assisted in securing facilities for the importation of machinery and tools where such are necessary;

(V) Be assisted in securing and training technical personnel;

(VI) Undertake programs of public works and, where necessary, be assisted in securing technical advice and access to capital;

(VII) Develop sources of employment in public and private services;

(*c*) Where agricultural settlements are possible, appropriate steps should be taken to facilitate the movement of people from overmanned agricultural areas;

(*d*) In order to help in intra-national and international migration where these are feasible:

(I) Occupational training should be provided;

(II) Labor bureaus should be set up where necessary;

(III) Transportation, communication, housing, sanitation, health, and other public facilities necessary to effective settlement should be provided by the country receiving the migrants;

(IV) Steps should be taken to provide for the economic security of the migrants;

(*e*) Where emigration is possible, an international organization should support arrangements to provide adequate safeguards for settlers and for the countries concerned, and to facilitate the movement through other appropriate means.

XXIII. INTERNATIONAL SECURITY.

WHEREAS:

1. Freedom from want cannot be achieved without freedom from fear;

2. Policies of aggression and the fear of aggression have induced the uneconomic employment of human and material resources, the development of uneconomic industries, the imposition of barriers to international trade, the introduction of discriminatory trade practices, and the expenditure of huge sums on armaments;

3. These obstructions to a progressively expanding economy cannot be removed without effective collaboration among nations;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented, by virtue of their determination to achieve freedom from want for all people in all lands, affirm the principle of mutual responsibility and coordinated action to establish such conditions of international security as will make possible an expanding and balanced world economy;

2. That these governments and authorities take in concert all necessary measures to secure the application of this principle and the achievement of this objective.

XXIV. ACHIEVEMENT OF AN ECONOMY OF ABUNDANCE.

WHEREAS:

1. The first cause of hunger and malnutrition is poverty.

2. The promotion of the full employment of human and material resources, based on sound social and economic policies, is the first condition of a general and progressive increase in production and purchasing power;

3. The sound expansion of industry in undeveloped and other areas, with equality of access to materials and markets, serves also to expand production and purchasing power and is therefore indispensable to any comprehensive program for the advancement of agriculture;

4. Tariffs and other barriers to international trade, and abnormal fluctuations in exchange rates, restrict the production, distribution, and consumption of foodstuffs and other commodities;

5. Progress by individual nations toward a higher standard of living contributes to the solution of broader economic problems, but freedom from want cannot be achieved without effective collaboration among nations;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented, by virtue of their determination to achieve freedom from want for all people in all lands, affirm the principle of mutual responsibility and coordinated action:

(*a*) To promote the full and most advantageous employment of their own and all other people and a general advance in standards of living, thereby providing for an increase in both production and purchasing power;

(*b*) To promote the uninterrupted development and most advantageous use of agricultural and other material resources for the establishment of an equitable balance between agriculture and industry in the interest of all;

(*c*) To secure for agriculture the stimulus of additional purchasing power through the sound development of industry;

(*d*) To assist in the achievement of these ends by all appropriate means, including the supply of capital, equipment, and technical skill;

(*e*) To maintain an equilibrium in balances of payments, and to achieve the orderly management of currencies and exchange;

(*f*) To improve the methods and reduce the cost of distribution in international trade;

(*g*) As an integral part of this program, to reduce barriers of every kind to international trade and to eliminate all forms of discriminatory restrictions thereon, including inequitable policies in international transportation, as effectively and as rapidly as possible;

2. That these governments and authorities take, individually and in concert, whether by conference or otherwise, all necessary measures, both domestic and international, to secure the application of this principle and the achievement of these objectives.

XXV. INTERNATIONAL COMMODITY ARRANGEMENTS

WHEREAS:

1. Excessive short-term movements in the prices of food and agricultural commodities are an obstacle to the orderly conduct of their production and distribution;

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2. Extreme fluctuations of the prices of food and agricultural products aggravate general deflationary and inflationary tendencies, which are injurious to producers and consumers alike;

3. The mitigation of these influences would promote the objectives of an expansionist policy;

4. Changes in the scale and character of production to meet more effectively the world's need for food and agricultural products may in certain instances require a period of transition and international cooperation to aid producers in making necessary readjustments in their productive organization;

5. International commodity arrangements may play a useful part in the advancement of these ends but further study is necessary to establish the precise forms which these arrangements should take and whether and to what extent regulation of production may be needed;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That international commodity arrangements should be designed so as to promote the expansion of an orderly world economy;

2. That, to this end, a body of broad principles should, through further international discussion, be agreed upon regarding the formulation, the provisions, and the administration of such international commodity arrangements as may be deemed feasible and desirable and should include assurance that:

(*a*) Such arrangements will include effective representation of consumers as well as producers;

(*b*) Increasing opportunities will be afforded for supplying consumption needs from the most efficient sources of production at prices fair to both consumers and producers and with due regard to such transitional adjustments in production as may be required to prevent serious economic and social dislocations;

(*c*) Adequate reserves will be maintained to meet all consumption needs;

(*d*) Provision will be made, when applicable, for the orderly disposal of surpluses;

3. That international organization should be created at any early date to study the feasibility and desirability of such arrangements with reference to individual commodities and, in appropriate cases, to initiate or review such arrangements to be entered into between governments, and to guide and coordinate the operations of such arrangements in accordance with agreed principles, maintaining close relations with such programs as may be undertaken in other fields of international economic activity to the end that the objective of raising consumption levels of all peoples may be most effectively served.

XXVI. SPECIAL NATIONAL MEASURES FOR WIDER FOOD DISTRIBUTION

WHEREAS:

1. Even in the most prosperous countries there are many families which cannot afford to buy enough good food;

2. In some countries, and at some times, hunger and semistarvation have been widespread;

3. This situation has existed even when agricultural prices have been low and when large supplies of food have piled up in warehouses or rotted in the fields, and the problem will not be fully met by general economic measures to stimulate production and trade;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented accept the responsibility of making it possible, so far as it is within their power, for each person in their respective countries who is without an adequate diet, to improve his diet in the direction of obtaining the physiological requirements of health, adopting such of the following, or other, measures as are designed to fit local conditions and institutions:

(*a*) Adequate social-security measures, such as family allowances, social insurance, and minimum wages;

(*b*) Some form of direct action to make protective foods available free, or at low prices, to groups with inadequate diets;

(*c*) Special attention to assisting such groups as pregnant women, nursing mothers, infants, children, aged persons, invalids, and low-paid persons;

2. That the diets provided under these programs be based upon the best scientific information on nutritional needs;

3. That food-distribution measures be coordinated with programs to increase food production

and to bring about adjustments in agriculture and fishing which will, on the one hand, encourage the production and distribution of those foods most lacking in the diets of the country, and adapted to the soils and climates; and will, on the other hand, provide an adequate level of living to persons engaged in farming and fishing;

4. That the permanent organization recommended in Resolution II assist the several governments and authorities in making surveys of nutritional needs, in helping develop new food-distribution programs, in disseminating information concerning those programs, and in aiding to coordinate efforts in this field.

XXVII. SPECIAL INTERNATIONAL MEASURES FOR WIDER FOOD DISTRIBUTION

WHEREAS:

1. The provision of adequate food for all the people in each nation is primarily the responsibility of the nation concerned and that this responsibility will be met primarily by national measures;

2. Nevertheless, undernutrition may continue for long periods of time in certain countries, while they are developing their agriculture and industry, and before they are able to produce internally or acquire abroad adequate amounts of food to meet the needs of their people;

3. It is generally agreed that it would be desirable if arrangements could be made whereby a part of current world food supplies could be used to supplement the national food-distribution programs of certain countries;

4. Moreover, relatively little attention has been given in the past to the possibilities of developing special measures for wider food distribution in the international field;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the permanent organization recommended in Resolution II study the possibility of devising measures to meet the needs of countries with inadequate supplies, and the machinery needed for this purpose, distinguishing between methods which would be used in the case of famines following catastrophes, and in the case of countries where the available food supplies are generally inadequate;

2. That the problems of developing special international measures for wider food distribution in the latter case be studied in connection with plans in the countries concerned for the long-term development of the national resources, and for raising the technical skill and the level of living of their workers, and that the above-mentioned permanent organization collaborate with the International Labor Office on this question.

XXVIII. GOVERNMENT AND OTHER NATIONAL SERVICES IN MARKETING

WHEREAS:

Improvements in the marketing of foods and other products of agricultural or marine origin are largely dependent upon certain basic govern-

ment services, including the provision of quality standards, an efficient grading and inspection service, marketing research and education designed to promote improved marketing practices, and protection of the public, through the medium of pure-food laws, against impurities or adulterations and against unfair competition and undesirable trade practices;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the permanent organization recommended in Resolution II:

(*a*) Investigate the practicability, and, if practicable, assist in the adoption of international grade standards for agricultural and marine commodities and of providing machinery for controlling the use of any such international grade standards in international trade:

(*b*) Give assistance to governments and other national organizations looking to the establishment in each country of adequate grade standards and technical advisory and inspection services covering appropriate products, and, if requested, advise in the promotion of the educative, administrative, and legislative action necessary to achieve this objective;

(*c*) Promote standardization of containers, both nationally and internationally, along the lines suggested in connection with grades;

(*d*) Assist governments to extend and improve standards of nutrient content and purity of all important foods, consider also the formulation and

adoption of similar international standards to facilitate and protect the interchange of such products between countries, and agree upon international methods of determination;

(*e*) Consider the formulation and adoption of international standards or minimum requirements for drugs, insecticides, fungicides, fertilizers, and other materials used by agricultural producers, in order to prevent misrepresentation in their preparation and sale, and to promote the purchase of products best suited to particular uses;

(*f*) Consider whether existing international market news services adequately supply and coordinate information and statistics on prices and supply and demand; and promote any improvements considered necessary;

(*g*) Urge upon governments the necessity, in the interests of better nutrition and better living, for further research into:

(I) Consumer needs, including palatability, packaging, food habits, shopping habits, shopping facilities, etc.;

(II) Improved methods, with particular reference to perishable protective foods and any commodities of which buffer or other stocks may be held, of processing, preservation, storage, packaging, and transport;

(III) Economics of marketing, including processing and retail distribution, consumer needs, and ways in which the shopkeeper, trader, and farmer can be helped to meet these needs;

(IV) The relation of food production on the farm to market demand and nutritional requirements; and

engage in the dissemination of the information so obtained, and urge on governments the need for education of the producer, the intermediary, and the consumer in the principles of good marketing, and in marketing technique, including processing and storage;

2. That the governments and authorities here represented take steps to ensure that producers and consumers are adequately protected against trade malpractices and against exploitation in the purchase and sale of food and other products of agricultural or marine origin, and commend general and specific measures to prevent confusion as to quality and country of origin; and that the permanent organization above-mentioned assist, if requested, governments and authorities to this end, and, if appropriate, formulate international codes of trade practices.

XXIX. ADDITIONS TO AND IMPROVEMENTS IN MARKETING FACILITIES

WHEREAS:

1. Many countries are lacking in adequate facilities for the preservation of essential foods for consumption throughout the year, and for the production, transport, and distribution of these foods to satisfy nutritional needs;

2. The destruction and disorganization of marketing facilities resulting from the war will make this problem particularly acute in countries which are the victims of hostilities;

3. Technological developments in food preservation, processing, and transport have been accelerated by the war and give promise of contributing materially to the solution of these problems:

RECOMMENDS:

1. That the governments and authorities here represented take steps to secure the provision of adequate processing, transportation, and distribution facilities required for improving the nutritional levels of their populations; and that the permanent organization recommended in Resolution II study the technical, scientific, and economic factors involved, with particular reference to developments during the war, arrange for the pooling of knowledge thus acquired, and give all possible assistance to the governments and authorities in realizing these objectives;

2. That steps be taken by each country to achieve full utilization of important new technological developments in food preservation, transportation, and marketing, including especially dehydration, freezing, and ocean and air transportation;

3. That the permanent organization abovementioned take steps to obtain, collate, and disseminate information regarding conditions of marketing, processing, and storage facilities in all countries, including those devastated by war, with particular reference to any increased facilities needed and to the rehabilitation of countries devastated by war, in order to promote the expansion of marketing facilities in a carefully planned rather than a haphazard manner;

4. That governments examine transport deficiencies, both internally and in connection with export and import trade, which may be hinder-

ing the development of adequate and efficient marketing of foodstuffs and other agricultural and marine products and take such steps as may be necessary to rectify deficiencies; and that any international body concerned with international transport assist to this end.

XXX. INCREASING THE EFFICIENCY AND REDUCING THE COST OF MARKETING

WHEREAS:

1. The maintenance of food consumption among the peoples of the world at levels sufficiently high to satisfy minimum health requirements calls for the provision of greater quantities of better food at reasonable prices;

2. Except in some countries where consumers largely produce their own food supplies, a substantial part of the total cost of food to the consumer consists of marketing costs (including the costs of assembly, grading, inland and sea transport, storage, wholesale and retail distribution), processing costs, and the rewards of enterprise;

3. In some countries, the provision of unessential services increases the margin between the producer and consumer;

4. Reduction in marketing costs and margins can benefit both producer and consumer alike;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

1. That the governments and authorities here represented take all practicable steps to reduce marketing, processing, storage and distribution

costs, and margins between producers and consumers, particularly by the elimination of unessential services not required by producers or by low-income consumers.

2. That the permanent organization recommended in Resolution II collect and disseminate information on marketing costs and margins in different countries and in international trade, on the factors which determine or influence such costs and margins, and on the steps taken by governments, by cooperative associations, and by private enterprise to reduce them.

XXXI. FISH AND MARINE PRODUCTS

WHEREAS:

1. Fish, marine animals, and marine products are essential in high degree to the diet of the people of many countries and play an important role in the nutrition of other countries;

2. The production of fish and marine products is vital to the economy of certain countries, and the adequate livelihood of the fisherman, like that of the farmer, depends upon a balanced world economy;

3. Consideration of questions relating to fish and marine products is important in any program designed to meet immediate and long-term food and other requirements;

The United Nations Conference on Food and Agriculture

RECOMMENDS:

That the general conclusions reached by this Conference apply, whever appropriate, to fish and

marine products, and that these subjects be considered by the permanent organization recommended in Resolution II.

XXXII. RESOLUTION OF APPRECIATION TO THE PRESIDENT OF THE UNITED STATES OF AMERICA

The United Nations Conference on Food and Agriculture expresses its gratitude to the President of the United States of America, Franklin Delano Roosevelt, for his initiative in convening the present Conference, for its preparation, and for his contribution to its success. This resolution is to be embodied in the Final Act of the Conference.

XXXIII. APPRECIATION TO THE OFFICIALS OF THE CONFERENCE

WHEREAS:

1. The United Nations Conference on Food and Agriculture was able to conduct its work under conditions of exceptional efficiency;

2. This efficiency and consequent good results, in no small measure resulted from the wisdom and talents of the Chairman, the Honorable Marvin Jones, whose ideals of international solidarity were a source of inspiration and stimulus to all;

3. Without the previous and exhaustive preparation of documentary materials submitted to the Conference by the Secretariat and without its painstaking work, it would not have been possible for the Conference to attain in such a short time the results achieved;

The United Nations Conference on Food and Agriculture

RESOLVES:

1. To express to its Chairman, the Honorable Marvin Jones, its deep appreciation for the admirable manner in which he has guided the Conference and to pay to him the tribute of its gratitude; and

2. To express to the Secretary General, to the Press Relations Officer, to the Assistant Secretary General, to the Secretariat, and to the clerical staff its appreciation for the efficiency and diligence shown in preparing the numerous documentary materials and in assisting the Conference in attaining its objectives.

IN WITNESS WHEREOF, the following delegates sign the present Final Act.

DONE at Hot Springs, Virginia, on the third day of June, nineteen hundred and forty-three, in the English language, the original to be deposited in the archives of the Department of State of the United States, and certified copies thereof to be furnished by the Government of the United States of America to each of the governments and authorities represented at the Conference.

XXIX. Hearings in Regard to Prisoners

(Sub-Committee of the Committee on Appropiations, House of Representatives, Military Establishment Appropriation Bill, 1944, Thursday, June 10, 1943)

Statement of Hon. Robert P. Patterson, Under Secretary of War, Accompanied by Maj. Gen. A. H. Carter, Budget Officer, War Department, Brig. Gen. George J. Richards, Brig. Gen. F. W. Hopkins, Col. C. F. Hofstetter, Col. J. D. McIntyre, Col. R. S. Moore, John J. Dubbelde, Jr., Col. J. H. Watson, Col. E. V. Elder, Col. Arthur M. Heritage, and E. W. Lancaster, Chief, Civilian Training Office of Secretary of War

Mr. SNYDER. Mr. Secretary, we have invited you to come down in two capacities; first, as the civilian head of the Department, acting for Mr. Stimson, and, secondly, in connection with your responsibility, under the law, for procurement for the Army. We should like to hear from you first in the latter capacity.

CARE OF PRISONERS OF WAR

Mr. SNYDER. Mr. Secretary, there are $271,000,000 in this bill for the care of prisoners of war. That money is for pay, clothing, subsistence, housing, and recreation; also, for pin money for enlisted prisoners of war. The whole program conforms with the Geneva Convention, and there is no distinction as regards housing and subsistence between prisoners and our own soldiers. Is that right?

Mr. PATTERSON. Yes sir.

Mr. SNYDER. On the pay side, do you feel that we actually should make compensation payments monthly, whether the prisoners work or not, instead of waiting until we know definitely whether or not our soldiers who are prisoners of our enemies are being paid in accordance with the terms of the Geneva Convention? In other words, should not their money be held until they are released from our custody, and payment then made according to whatever standard or formula the enemy pursued?

Mr. PATTERSON. We abide by the Geneva Convention and we have to assume, and are willing to assume until we know otherwise, that our enemies are abiding by the Geneva Convention.

Under the terms of the Geneva Convention we pay $21 per month to prisoners of war who work. Of this $21, not more than $10 is available to the prisoner of war for purchases at the post exchanges. The balance will stand to his credit until the war is over.

The bulk of it will be held and accumulated for the prisoners. As I say, not more than $10 a month is available for ordinary purchases.

(Discussion off the record.)

Mr. SNYDER. We abide by the Geneva Convention?

Mr. PATTERSON. Yes; we have and we intend to adhere to the Geneva Convention.

(Discussion off the record.)

Mr. POWERS. Let me understand about the Geneva Convention. As I understand it, we are supposed to pay the prisoners, those who work, $21 per month. Is that correct?

Mr. PATTERSON. Yes, sir.

General WHITE. We pay them $3 a month as an allowance for toilet articles, and things of that kind, whether the prisoner works or not.

The men who work outside of the prison camp itself are paid at the rate of 80 cents per day.

There is no pay for working in the prison camp.

The prisoner only receives in post exchange coupons $10 a month. That is, he gets $10 each month out of the sum he earns at the rate of 80 cents a day.

Thirteen dollars a month is the maximum that the prisoner receives in cash.

Mr. POWERS. What can the prisoners do with that in the prison?

Mr. PATTERSON. I do not know. They can, if they wish, buy additional articles of food, bed linen, clothing, and such items as may be specifically authorized by the camp commander, but that is the maximum that they are allowed to have.

Mr. POWERS. Is Japan said to be doing the same thing for our prisoners?

Mr. PATTERSON. They are supposed to be paying our prisoners.

Mr. POWERS. Are they paying them as much?

General WHITE. No; not this amount. The pay is based on the work performed and in harmony with the rates prevailing in the country detaining the prisoner.

Mr. POWERS. What pay do the Japanese provide?

General WHITE. I do not know, sir.

I have some figures here on what other nations are paying American prisoners of war.

Mr. POWERS. Do they pay the American prisoner what they would pay a comparable rank in their own Army?

General WHITE. The Germans and the Italians pay our prisoners 35 cents and 50 cents a day for skilled and unskilled labor. We pay 80 cents a day.

Mr. POWERS. Why do we pay 80 cents a day if the Germans and the Italians are only paying 35 cents and 50 cents a day?

General WHITE. This is in comparison with the conditions in the countries.

The Japanese probably pay our men a few cents a day.

Mr. POWERS. We pay their men, who work, $21 a month.

General WHITE. We pay them 80 cents a day for the time that they work.

Mr. POWERS. What do we do with the officers?

General WHITE. The officers get a flat rate, but you cannot work the officers.

The lieutenants and the warrant officers get $20 a month, the captains $30 a month, and all others $40 a month.

The Japanese officers get $5 a month less all along the line. Their lieutenants get $15 a month.

Mr. POWERS. What do they pay our officers?

General WHITE. I do not know.

Mr. POWERS. Does anyone know?

General WHITE. No, sir; I doubt it.

Mr. POWERS. It is peculiar that we have a scale for officers who are prisoners of war, and we have a pretty nice scale, and we do not know what they are paying our officers.

General WHITE. It is not based on what they pay our officers. We are required to pay their officers a given amount. They are required to pay our prisoners a given amount.

Mr. ENGEL. What is it based upon?

General WHITE. It is based on a supplemental tentative agreement between the several nations.

Mr. POWERS. Is not that a public document?

General WHITE. Under the Convention we pay the Japanese prisoners the same as our soldiers.

Mr. POWERS. What about our men?

General WHITE. Just the reverse. Our men, prisoners in Japan, would receive the rate of pay of the Japanese soldiers.

Mr. SNYDER. How much is that?

General WHITE. Two or three cents a day.

The information that we have on the Japanese is that they are paying two and a half up to eight and a quarter cents per day. It is difficult to get information.

Mr. POWERS. You have no idea that they are living up to the Geneva Convention?

General WHITE. To that extent I think they are. From the best information that we can get they are reasonably following the Convention.

The Germans and the Italians are, we know that. The Swiss have given us that information.

Mr. MAHON. Does it come down to this? It is a question of the living standards of the countries.

General WHITE. That is right.

Mr. POWERS. Is there anything in the Geneva Convention about the treatment of prisoners of war?

General WHITE. Yes, sir.

Mr. POWERS. Do you think that Japan lived up to that when they executed our fliers?

General WHITE. No, sir.

Mr. POWERS. Do you think that we are so bound to the Geneva Convention that we should squander as much money for prisoners of war as we actually spent for maintenance of the United States Army in 1932?

General WHITE. I think this: We must live up to the Convention. The fact that Japan does not live up to the Convention does not relieve us from the obligation of living up to it.

Mr. POWERS. It is a matter of opinion. I do not agree with you gentlemen, but I am not running the show.

Mr. POWERS. If the execution of our fliers is an indication of how Japan will abide by the Geneva Convention I think it is time that we had better start thinking ourselves.

Mr. PATTERSON. That was a breach.

We still have more than 13,000 prisoners in the hands of the Japanese.

Mr. POWERS. Morality—there is no morality in war at all. Do you get anything definite on our soldiers who are prisoners?

General WHITE. Yes, sir. For a long time we got nothing, but in recent months reports come through quite regularly. They come through the Red Cross.

Mr. KERR. Does the report include the Filipino troops?

General WHITE. The figure does not include the Filipino troops. They are all continental troops.

They also captured a lot of the British.

Mr. POWERS. Do you get any reports on these men?

General WHITE. Yes, through the Swiss Government.

Mr. POWERS. What do the reports indicate?

General WHITE. They are reasonably satisfactory. The food is not food that our men are accustomed to. It is a difficult ration for white men to live on. It is equivalent to the Japanese Army ration.

Mr. POWERS. What reports do you get on the treatment our men get from the Germans?

General WHITE. The reports are very good.

Mr. POWERS. How about the Italians?

General WHITE. They are living right up to the terms of the Convention.

Our men who are prisoners of the Germans get the same ration as the German Army. That is a better ration than the civilians get.

Mr. POWERS. Are the Germans still chaining the prisoners?

General WHITE. We have had no reports that they have shackled any of our prisoners.

Mr. ENGEL. When you are attempting to make a comparison in terms of money—as to what they pay and what we pay—you should take into consideration the difference in prices—what a certain amount of money will buy over there as compared to what it will buy here. We talk about 2 cents, 5 cents, or 10 cents, as a small item, but it will buy a lot over there.

I think you have no alternative but to follow the Geneva Convention. I hope you will.

Mr. POWERS. On the subject of rations for prisoners: How much does the ration cost us?

General WHITE. Seventy-two cents.

Mr. POWERS. The feeding of these fellows costs 72 cents?

Mr. ENGEL. Do the Japanese prisoners want the American ration, or do they want to go back to rice?

General WHITE. They ask for a substitution in the ration and the commanders of the local camps are authorized to make substitutions.

Mr. ENGEL. You mean substitute Japanese food?

General WHITE. Substitute something in place of the type of food that our soldier gets.

XXX. New Authority in the French Antilles

(Dept. of State Bulletin, July 17, 1943, Vol. IX, No. 212)

Mr. Henri Hoppenot, Director of Civil Services of the French Military Mission in Washington, has informed the Department of State of his designation by the French Committee of National Liberation to assume the authority over the French Antilles. Admiral Robert recently expressed a desire to relinquish his authority. The acceptance of Mr. Hoppenot's designation for the express purpose of exercising the French authority in the Antilles is not to be construed as affecting either pro or con the question of this Government's relations with the French Committee of National Liberation.

Mr. Hoppenot has assured the Government of the United States that the facilities and resources of the French Antilles will be devoted to the fullest extent to the prosecution of the war against the Axis, in accord with the action already taken by all French territory not under the domination of the enemy. The military interests of the United States in the Caribbean zone are fully recognized. The use of all presently immobilized French naval and merchant ships will be made available in the prosecution of the war effort.

On the basis of the new situation created by Mr. Hoppenot's designation, the Government of the United States is despatching relief supplies to Martinique and Guadeloupe and will cooperate

with the new authority in the resumption of the economic life of the islands.

Mr. Hoppenot and his assistants are expected to arrive at Martinique in the immediate future, and upon his assumption of authority relations with the French Antilles will be resumed through Consul General Marcel E. Malige, who is returning to his post.

XXXI. Refuge in Neutral Countries for Axis Leaders

(Dept. of State Bulletin, July 17, 1943, Vol. IX, No. 212)

Statement by the President

On August 21, 1942 I issued a statement to the press in which after referring to the crimes against innocent people committed by the Axis powers I stated:

"The United Nations are going to win this war. When victory has been achieved, it is the purpose of the Government of the United States, as I know it is the purpose of each of the United Nations, to make appropriate use of the information and evidence in respect to these barbaric crimes of the invaders, in Europe and in Asia. It seems only fair that they should have this warning that the time will come when they shall have to stand in courts of law in the very countries which they are now oppressing and answer for their acts."

On October 7, 1942 I stated that it was

"the intention of this Government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals."

The wheels of justice have turned constantly since those statements were issued and are still turning. There are now rumors that Mussolini and members of his Fascist gang may attempt to take refuge in neutral territory. One day Hitler and his gang and Tojo and his gang will be trying to escape from their countries. I find it difficult to believe that any neutral country would

give asylum to or extend protection to any of them. I can only say that the Government of the United States would regard the action by a neutral government in affording asylum to Axis leaders or their tools as inconsistent with the principles for which the United Nations are fighting and that the United States Government hopes that no neutral government will permit its territory to be used as a place of refuge or otherwise assist such persons in any effort to escape their just deserts.

Instructions to American Diplomatic Representatives in Neutral Countries

The Department of State released to the press at 7:30 p. m., July 31, the following statement:

"The diplomatic representatives of the United States in Stockholm, Ankara, Madrid, Lisbon, Bern, Vatican City, and Buenos Aires have been instructed by the Department of State to bring the President's statement to the attention of the Governments to which they are accredited.

"The British representatives at the above places and the representatives of the Union of Soviet Socialist Republics in Stockholm and Ankara are making similar representations."

XXXII. Lend-Lease Report

(From the Eleventh Report to Congress, for the Period Ended July 31, 1943)

The amount of lend-lease aid that may be provided under the various acts is summarized as follows:

Lend-Lease Appropriations to the President:	
First Lend-Lease Appropriation	$7,000,000,000
Second Lend-Lease Appropriation	5,985,000,000
Third Lend-Lease Appropriation (Fifth Supp. 1942)	5,425,000,000
Fourth Lend-Lease Appropriation	6,273,629,000
Total	24,683,629,000
Transfers Authorized From Other Appropriations:	
War Department—Third Supplemental, 1942	2,000,000,000
War Department—Fourth Supplemental, 1942	4,000,000,000
War Department—Fifth Supplemental, 1942	11,250,000,000
War Department—Sixth Supplemental, 1942	2,220,000,000
War Department—Military Appropriation Act, 1943	12,700,000,000
Navy Department—Second Supplemental, 1943	3,000,000,000
Departments other than War—Third Supplemental, 1942	800,000,000
Total	35,970,000,000

In addition to the foregoing, Congress has with certain limitations authorized the leasing of ships of the Navy and merchant ships constructed with funds appropriated to the Maritime Commission without any numerical limitation as to the dollar value or the number of such ships which may be so leased. (See for example, Public Law 1, 78th Cong., approved Feb. 19, 1943, and Public Law 11, 78th Cong., approved Mar. 18, 1943.)

Lend-Lease Countries and United Nations

Country	Declared eligible for Lend-Lease aid	Lend-Lease Agreement signed	Reciprocal Lend-Lease Agreement signed	United Nations Declaration signed
Argentina	May 6, 1941			
Australia	Nov. 11, 1941	Feb. 23, 1942	Sept. 3, 1942	Jan. 1, 1942
Belgium	June 13, 1941	June 16, 1942	Jan. 30, 1943	Jan. 1, 1942
Bolivia	May 6, 1941	Dec. 6, 1941		Apr. 27, 1943
Brazil	May 6, 1941	Mar. 3, 1942		Feb. 6, 1943
Canada	Nov. 1, 11941			Jan. 1, 1942
Chile	May 6, 1941	Mar. 2, 1943		
China	May 6, 1941	June 2, 1942		Jan. 1, 1942
Colombia	May 6, 1941	Mar. 17, 1942		
Costa Rica	May 6, 1941	Jan. 16, 1942		Jan. 1, 1942
Cuba	May 6, 1941	Nov. 7, 1941		Jan. 1, 1942
Czechoslovakia	Jan. 5, 1942	July 11, 1942		Jan. 1, 1942
Dominican Republic	May 6, 1941	Aug. 2, 1941		Jan. 1, 1942
Ecuador	May 6, 1941	Apr. 6, 1942		
Egypt	Nov. 11, 1941			
El Salvador	May 6, 1941	Feb. 2, 1942		Jan. 1, 1942
Ethiopia	Dec. 7, 1942	Aug. 9, 1943		Oct. 9, 1942
Fighting France	Nov. 11, 1941		Sept. 3, 1942	
French North and West Africa	Nov. 13, 1942			
Greece	Mar. 11, 1941	July 10, 1942		Jan. 1, 1942
Guatemala	May 6, 1941	Nov. 16, 1942		Jan. 1, 1942
Haiti	May 6, 1941	Sept. 16, 1941		Jan. 1, 1942
Honduras	May 6, 1941	Feb. 28, 1942		Jan. 1, 1942
Iceland	July 1, 1941	Nov. 21, 1941		
India	Nov. 11, 1941			Jan. 1, 1942
Iran	Mar. 10, 1942			
Iraq	May 1, 1942			Jan. 16, 1943
Liberia	Mar. 10, 1942	June 8, 1943		
Luxembourg				Jan. 1, 1942
Mexico	May 6, 1941	Mar. 18, 1943		June 5, 1942
Netherlands	Aug. 21, 1941	July 8, 1942	June 14, 1943	Jan. 1, 1942
New Zealand	Nov. 11, 1941	Feb. 23, 1942	Sept. 3, 1942	Jan. 1, 1942
Nicaragua	May 6, 1941	Oct. 16, 1941		Jan. 1, 1942
Norway	June 4, 1941	July 11, 1942		Jan. 1, 1942
Panama	May 6, 1941			Jan. 1, 1942
Paraguay	May 6, 1941	Sept. 20, 1941		
Peru	May 6, 1941	Mar. 11, 1942		
Philippines				June 10, 1942
Poland	Aug. 28, 1941	July 1, 1942		Jan. 1, 1942
Saudi Arabia	Feb. 18, 1943			
South Africa	Nov. 11, 1941			Jan. 1, 1942
Turkey	Nov. 7, 1941			
United Kingdom	Mar. 11, 1941	Feb. 23, 1942	Sept. 3, 1942	Jan. 1, 1942
United States				Jan. 1, 1942
U. S. S. R.	Nov. 7, 1941	June 11, 1942		Jan. 1, 1942
Uruguay	May 6, 1941	Jan. 13, 1942		
Venezuela	May 6, 1941	Mar. 18, 1942		
Yugoslavia	Nov. 11, 1941	July 24, 1942		Jan. 1, 1942

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